

William H. Pennell, to be postmaster at Duncannon, in the county of Perry and State of Pennsylvania, in place of William H. Pennell. Incumbent's commission expired December 20, 1902.

SOUTH CAROLINA.

J. Frank Kneese, to be postmaster at Batesburg, in the county of Lexington and State of South Carolina. Office became Presidential January 1, 1903.

George H. McKee, to be postmaster at Darlington, in the county of Darlington and State of South Carolina, in place of George H. McKee. Incumbent's commission expired January 10, 1903.

SOUTH DAKOTA.

John H. Dobson, to be postmaster at Alexandria, in the county of Hanson and State of South Dakota, in place of John H. Dobson. Incumbent's commission expired January 7, 1903.

TEXAS.

Henry T. Canfield, to be postmaster at Wichita Falls, in the county of Wichita and State of Texas, in place of Henry T. Canfield. Incumbent's commission expired March 31, 1903.

C. E. Littlefield, to be postmaster at Luling, in the county of Caldwell and State of Texas, in place of George W. Stewart, removed.

WISCONSIN.

Charles P. Brechler, to be postmaster at Fennimore, in the county of Grant and State of Wisconsin. Office became Presidential January 1, 1903.

Edwin F. Ganz, to be postmaster at Alma, in the county of Buffalo and State of Wisconsin, in place of Edwin F. Ganz. Incumbent's commission expired January 10, 1903.

CONFIRMATIONS.

Executive nominations confirmed by the Senate January 14, 1903.

CIRCUIT JUDGE OF HAWAII.

John T. De Bolt, of Hawaii, to be first judge of the circuit court of the first circuit of the Territory of Hawaii.

COLLECTOR OF CUSTOMS.

Morton Tower, of Oregon, to be collector of customs for the district of southern Oregon, in the State of Oregon.

POSTMASTERS.

CONNECTICUT.

Walter B. Cheney, to be postmaster at South Manchester, in the county of Hartford and State of Connecticut.

ILLINOIS.

William I. Larash, to be postmaster at Rushville, in the county of Schuyler and State of Illinois.

IOWA.

John Meyer, to be postmaster at Alton, in the county of Sioux and State of Iowa.

Charles S. Terwilliger, to be postmaster at Garner, in the county of Hancock and State of Iowa.

Gilbert Cooley, to be postmaster at Strawberry Point, in the county of Clayton and State of Iowa.

Andrew H. Bjorgo, to be postmaster at Kensett, in the county of Worth and State of Iowa.

Hiram Lamb, to be postmaster at Murray, in the county of Clarke and State of Iowa.

KANSAS.

William C. Palmer, to be postmaster at Jewell, in the county of Jewell and State of Kansas.

Joseph H. Woollen, to be postmaster at Mankato, in the county of Jewell and State of Kansas.

NORTH CAROLINA.

Walter B. Steele, to be postmaster at High Point, in the county of Guilford and State of North Carolina.

Ella M. Sanders, to be postmaster at Albermarle, in the county of Stanley and State of North Carolina.

OHIO.

William H. Baum, to be postmaster at Batavia, in the county of Clermont and State of Ohio.

Lucius A. Austin, to be postmaster at Granville, in the county of Licking and State of Ohio.

Albert C. Buss, to be postmaster at New Bremen, in the county of Auglaize and State of Ohio.

L. H. Wadsworth, to be postmaster at Wellington, in the county of Lorain and State of Ohio.

Clayton H. Bishop, to be postmaster at Centerburg, in the county of Knox and State of Ohio.

Peter Schatzman, to be postmaster at Glendale, in the county of Hamilton and State of Ohio.

OREGON.

Thomas L. Ambler, to be postmaster at Mount Angel, in the county of Marion and State of Oregon.

SOUTH CAROLINA.

John R. Cochran, jr., to be postmaster at Anderson, in the county of Anderson and State of North Carolina.

John W. Dunovant, to be postmaster at Chester, in the county of Chester and State of South Carolina.

VERMONT.

James E. Pollard, to be postmaster at Chester, in the county of Windsor and State of Vermont.

Warner B. Nichols, to be postmaster at Essex Junction, in the county of Chittenden and State of Vermont.

WEST VIRGINIA.

William F. Squires, to be postmaster at Parsons, in the county of Tucker and State of West Virginia.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, January 14, 1903.

The House met at 12 o'clock m.

Prayer by the Chaplain, Rev. HENRY N. COUDEN, D. D.

The Journal of yesterday's proceedings was read and approved.

IMMEDIATE TRANSPORTATION OF DUTIABLE GOODS.

The SPEAKER laid before the House the bill (H. R. 15006) to amend an act entitled "An act to amend the statute in relation to the immediate transportation of dutiable goods, and for other purposes," approved June 10, 1880, with a Senate amendment, which was read.

Mr. PAYNE. Mr. Speaker, I move to concur in the Senate amendment.

The motion was agreed to.

On motion of Mr. PAYNE, a motion to reconsider the vote by which the Senate amendment was agreed to was laid on the table.

LUMAN FULLER.

The SPEAKER also laid before the House the bill (H. R. 14478) granting an increase of pension to Luman Fuller, with a Senate amendment, which was read.

Mr. SULLOWAY. Mr. Speaker, I move to concur in the Senate amendment.

The motion was agreed to.

ALBERT H. PHILLIPS.

The SPEAKER also laid before the House the bill (H. R. 14416) granting an increase of pension to Albert H. Phillips, with Senate amendment, which was read.

Mr. SULLOWAY. Mr. Speaker, I move that the House concur. The motion was agreed to.

JOHN BRUFF.

The SPEAKER also laid before the House the bill (H. R. 14477) granting a pension to John Bruff, with Senate amendment, which was read.

Mr. SULLOWAY. Mr. Speaker, I move that the House concur in the Senate amendment.

The motion was agreed to.

SARAH E. MORROW.

The SPEAKER also laid before the House the bill (H. R. 11594) granting an increase of pension to Sarah E. Morrow, with a Senate amendment, which was read.

Mr. SULLOWAY. Mr. Speaker, I move concurrence in the Senate amendment.

The motion was agreed to.

MATHIAS CUSTERS.

The SPEAKER also laid before the House the bill (H. R. 14957) granting an increase of pension to Mathias Custers, with a Senate amendment, which was read.

Mr. SULLOWAY. Mr. Speaker, I move to concur in the Senate amendment.

The motion was agreed to.

JOHN BLACKLER.

The SPEAKER also laid before the House the bill (H. R. 11633) granting an increase of pension to John Blackler, with a Senate amendment, which was read.

Mr. SULLOWAY. Mr. Speaker, the beneficiary is dead, and I move that the bill be laid on the table.

The motion was agreed to.

COAL.

Mr. GROSVENOR. Mr. Speaker, I ask unanimous consent for the present consideration of the resolution which I send to the Clerk's desk.

The Clerk read as follows:

House resolution No. 888.

Whereas it is claimed that conditions exist involving great hardship, suffering, and distress by reason of the unprecedented scarcity of coal, and it is claimed that combinations or conspiracies exist in and concerning said trade tending to restrain interstate and foreign commerce: Therefore, be it

Resolved, That the Committee on the Merchant Marine and Fisheries be, and is hereby, directed to investigate these said facts, charges, and necessities; to inquire into the elements and conditions involved in said coal trade, the cost of coal, the methods and facilities and cost of transportation and distribution of the same, and the reasons or causes of such scarcity and distress; that said committee make such investigations and report the testimony, with their conclusions thereon, as soon as possible, and that said committee have power and authority to send for persons and papers, to administer oaths, to employ or have the services of stenographers, clerks, and messengers, and incur such other expenses as may be deemed necessary; that meetings of the said committee be held in the Capitol building in Washington and in such other places as the committee shall determine, and the necessary expenses shall be paid out of the contingent fund of the House, on the usual vouchers, approved by the chairman of said committee: *Provided*, That said committee is authorized to sit during the session of the House, and may proceed to discharge the duties assigned either by the committee or by one or more subcommittees, and the action of the subcommittee of said committee shall be as valid as though done by the full committee.

The SPEAKER. Is there objection?

Mr. RICHARDSON of Tennessee. Mr. Speaker, if I understand the effect of this resolution, it is to add to the powers given to the committee under the resolution which passed the House on yesterday.

Mr. GROSVENOR. On Monday.

Mr. RICHARDSON of Tennessee. It authorizes the committee, as I understand, to take testimony by a subcommittee as well as by the full committee.

Mr. GROSVENOR. And furthermore, it gives power to sit during the sessions of the House, which was not in the former resolution.

Mr. RICHARDSON of Tennessee. It does not extend the right to sit during the recess at all?

Mr. GROSVENOR. Not at all. Of course it is understood its power will fall with the session of Congress.

The SPEAKER. Is there objection?

Mr. FITZGERALD. Does the gentleman not think his resolution should provide that the committee should report before the adjournment of Congress?

Mr. GROSVENOR. It provides that they shall report as speedily as possible.

Mr. FITZGERALD. But that is ineffective.

Mr. GROSVENOR. If the gentlemen will allow me, it must report before the adjournment of Congress, because it has no power after adjournment; and, furthermore, the gentleman will understand that the House will have entire control over the action of the committee so far as compelling a report or discharging the committee.

Mr. FITZGERALD. Yes, but under the rules of the House it would be impossible to bring that question before the House unless the gentleman's side desire it.

Mr. GROSVENOR. I hope the gentleman will have confidence in the good faith of the committee.

Mr. FITZGERALD. I have, but I suggest to the gentleman that he might relieve whatever of suspicion there might be if he amends his resolution by providing that the committee should report before Congress adjourns.

Mr. GROSVENOR. That is the legal effect of the resolution as it stands.

Mr. FITZGERALD. I do not concur sometimes in the gentleman's legal conclusions.

The SPEAKER. The Chair hears no objection. The question now is on agreeing to the resolution.

The question was taken and the resolution was agreed to.

On motion of Mr. GROSVENOR, the motion to reconsider the last vote was laid on the table.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted to Mr. MOODY of North Carolina indefinitely on account of sickness.

REBATE ON COAL.

Mr. DALZELL. Mr. Speaker, I submit the following privileged report from the Committee on Rules.

The Clerk read as follows:

The Committee on Rules, to whom was referred the resolution of the House, No. 381, have considered the same and recommend that it be agreed to, with an amendment, inserting in line 2, after the letters "H. R.," the number "10649," and also an amendment inserting after the word "consider," in line 2, the words "in the House."

Resolved, That immediately on the adoption of this rule it shall be in order to consider H. R. —, providing for a rebate of duties on coal; that debate thereon shall continue for not more than one hour, one-half hour on each side; that on the conclusion of the debate the previous question shall be considered as ordered, and vote taken upon the passage of the bill without delay or intervening motion.

Mr. DALZELL. Mr. Speaker, on the adoption of that rule, I ask the previous question.

The previous question was ordered.

Mr. DALZELL. Mr. Speaker, the bill referred to in the rules is a very short one, and I will read it. It is entitled "A bill to provide rebate of duties on coal."

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and required to make full rebate of duties imposed by law on all coal of every form and description imported into the United States from

foreign countries for the period of one year from and after the passage of this act.

The purpose of this bill, it will be observed, is really to put coal of all kinds on the free list during a period of one year subsequent to the passage of the act. There has been so much misrepresentation with respect to the duty on anthracite coal, and with respect to the manner with which it was imposed, that I think this is a favorable occasion, perhaps, to correct the misrepresentations that have been made, and to put in the RECORD a true statement by reciting the legislative history of the duty on coal.

When the Dingley bill was reported to the House in the first instance it contained a provision that coal, bituminous and shale, should pay a duty of 75 cents a ton, coal slack or culm 30 cents, and coke 20 cents. On the free list was this provision: "Coal, anthracite, and coal stores of American vessels, but none shall be unloaded."

The bill passed the House in the identical shape in which it had been reported, and was reported to the Senate in this form: "Coal and shale, 75 cents per ton; coal slack and culm, 30 cents per ton: *Provided, however*, That the duty on coal and shale shall be 60 cents per ton, and on coal slack or culm 15 cents per ton when imported from any country that does not impose on coal or coal slack or culm a higher rate of duty than those named in this proviso. Coke 20 cents." The free list read, "Coal stores of American vessels, but none shall be unloaded or discharged."

That was the shape in which the bill was reported to the Senate. As it passed the Senate it was amended so as to read this way:

Coal, bituminous, and all coals containing less than 92 per cent of fixed carbon, and shale, 67 cents per ton. Coal slack or culm, 15 cents per ton.

Then there was a proviso with respect to coal for fuel aboard vessels which I need not read. The free list read: "Coal stores of American vessels, but none shall be unloaded or discharged."

Now it will be observed that this provision for a duty on coal containing less than 92 per cent carbon was in the bill as it passed the Senate, and, of course, there could not be any concealment of the matter under that condition of things. But the bill was further amended in conference so as to read: "Coal, bituminous, and all coals containing less than 92 per cent of fixed carbon, and shale, 67 cents per ton." The free list read: "Coal, anthracite, not specially provided for in this act, and stores of American vessels, but none shall be unloaded."

In other words, it was undertaken to give a definition to anthracite coal, and it was provided that all coal, whether it was called anthracite or bituminous, that contained less than 92 per cent of carbon, should pay a duty of 67 cents a ton.

Now, this provision was not only not put in secretly, but was debated on the floor of the Senate. It was put in at the instance of representatives in the Senate and House from the Pacific coast in order to provide against coal brought in on the Pacific coast from Australia and British North America. In point of fact, so far as I know, there is no real anthracite coal in the world outside of Pennsylvania, unless possibly it be in China, and the anthracite coal of Pennsylvania contains more than 92 per cent of carbon, and is, therefore, now on the free list.

I need not say anything, Mr. Speaker, as to the necessity or the propriety of the passage of this bill at this time. The great coal strike in Pennsylvania is a matter of lamentable history. I learn this morning by a statement from an authentic source that during the five months of that strike the country was deprived of a supply of anthracite coal amounting to 24,000,000 tons. There could be only one result from such a condition of things; and that result has followed—a scarcity of coal, great and widespread suffering in the heart of midwinter, and a high price for the commodity.

Now, I want to say here and now, speaking for myself, that I do not believe that this legislation will introduce into the market an additional pound of coal. I do not believe that any coal will be imported that would not have been imported without the passage of this bill. I do not believe that it will have any appreciable effect upon the price of coal. I do not believe that any legislation can affect the greed and avarice of the cormorants who are taking advantage of the present condition to oppress people already oppressed. But it will do one thing—it will satisfy the great public that believes that Congress can do something; and it will show the disposition of Congress to do everything that it can do to alleviate this distress.

A friend near me suggests that it will satisfy the belief of the public; and whatever the result may be, Congress will at least have relieved itself of its responsibility. And the responsibility, let me say, rests with us right here, because under the Constitution the power to originate revenue legislation rests with the people's representatives in this House, and rests nowhere else.

Now, I am not disposed to take up any time in the further discussion of this bill. I hardly think it possible that anyone will want to consume time, to delay the passage of an emergency

measure such as this, which is expected to bring relief to a suffering people. I can not conceive that under the circumstances anyone here or elsewhere will be disposed to talk politics.

Mr. Speaker, I reserve the balance of my time.

Mr. JONES of Washington. Will the gentleman from Pennsylvania allow me a suggestion before he takes his seat?

Mr. DALZELL. Certainly.

Mr. JONES of Washington. I agree with the gentleman in doubting whether this measure will bring any relief; but I think it will very injuriously affect the Pacific coast. Therefore I ask whether there is any reason why the operation of the bill should not be limited to the importation of coal into the Atlantic ports and the ports of the Great Lakes or the Gulf. If this bill would relieve the suffering now existing here in the East, I know my people would favor it. It will not; but, on the contrary, will threaten a great industry of my State and bring in competition with our well-paid labor the product of Chinese labor of Canada, and unless the operation of this bill can be confined to the Atlantic and lake ports I shall feel compelled to vote against it.

Mr. DALZELL. I think such legislation would be contrary to the constitutional provision which says that taxes shall be uniform throughout the United States.

Mr. JONES of Washington. As I understand, this is a rebate proposition—the tax is to be collected and then returned. Of course, in effect it amounts to the same thing.

Mr. DALZELL. It is in effect a discount. You may call it whatever you please. It in fact puts coal on the free list for a year.

Mr. JONES of Washington. That is the effect of it, certainly.

Mr. DALZELL. I doubt now—speaking only for myself—whether or not we can make a provision of that kind applicable to the Atlantic ports and not applicable to the Pacific coast.

Mr. JONES of Washington. That would be the objection to a proposition of that kind?

Mr. DALZELL. Yes, sir.

Mr. MONDELL. I wish to ask the gentleman from Pennsylvania [Mr. DALZELL] whether the committee considered the proposition of limiting the operation of the provisions of this bill to six months rather than a year, and I ask this question because, in my opinion, the passage of the bill will very injuriously affect the coal industry of my State without being any relief to any of the people now suffering. The gentleman himself has already stated that he does not believe it would bring any relief—

Mr. RICHARDSON of Tennessee. We should like very much to hear what the gentleman from Wyoming [Mr. MONDELL] is saying. I hope we shall have order.

The SPEAKER. All gentlemen will be seated, and will cease conversation.

Mr. MONDELL. I understand fully the demand for this legislation, but in view of the fact that, in the gentleman's opinion, this measure will bring no relief, and the further fact that it will injuriously affect great interests, I ask him whether or not the committee has considered the propriety of limiting the operation of the law to six months. Much less injury would come from a bill so limited.

Mr. DALZELL. Mr. Speaker, in reply to the gentleman from Wyoming, I will say that the committee did consider that question, and that in the first instance it was intended—

Mr. RICHARDSON of Tennessee. We can not hear a word that the gentleman is saying.

The SPEAKER. The House will come to order.

Mr. DALZELL. The committee did consider the question of time, and in the first instance was of opinion, pretty generally, I think, that six months would be a proper period. But after further consideration, taking into account all the facts, the committee came to the conclusion that it would be better that this legislation should expire while Congress was in session. If limited to six months the effect of the law would end when Congress is not in session. It is absolutely impossible for us to tell what is going to happen in the future with respect to the coal trade.

Mr. LIVINGSTON. Mr. Speaker, if the committee considers the fact of its being a good measure for twelve months I would ask the gentleman if the committee considered the further fact of its being a good measure for all time?

Mr. DALZELL. Well, the committee was very thoroughly of the opinion that it would not be a good measure for all time. Of course I understand now that the gentleman is simply violating, as I assumed a while ago would not be done, a rule which I assumed would be adopted; that is to say, to avoid playing politics on this emergency measure.

Mr. LIVINGSTON. There is no politics in it.

Mr. DAYTON. Mr. Speaker, I would like to ask the gentleman a question.

The SPEAKER. Does the gentleman yield?

Mr. DALZELL. Yes.

Mr. DAYTON. I would ask if the committee in looking into this matter did not find that the greatest trouble was to secure

the transportation of coal to the markets where it was needed, and if considering it in that light they took into consideration a plan to suspend temporarily the operations of the interstate-commerce law which would permit the coal-hauling railroads to haul coal to the exclusion of other freight without being subjected to the penalty of that law?

Mr. DALZELL. I will say to my friend that that matter was not considered by the committee or brought to its attention. Mr. Speaker, I reserve the balance of my time.

Mr. RICHARDSON of Tennessee. Mr. Speaker, the gentleman from Pennsylvania has correctly stated what would be the effect of the adoption of the pending rule. It will be to bring the House without amendment to an immediate vote after one hour of general debate upon the bill which makes a rebate on all coal for a period of twelve months. I believe, as the rule is drawn, Mr. Speaker, if the present occupant of the chair holds as he has held on former occasions similar to this, that it will even prevent a motion to recommit this bill with instructions to the Committee on Ways and Means. The resolution is so drawn as to prevent any amendment whatever to be offered to the measure, and it will also prevent, as I have stated, a motion to recommit the bill to the Committee on Ways and Means with instructions that some different legislation may be proposed. In this respect, Mr. Speaker, it is a most unusual rule. I grant you that rules somewhat similar have been adopted heretofore by the House of Representatives, but when the great question of taxation is before the House and the country, and a live question as it is to-day, such a rule ought not to be invoked.

Now, then, as to the effect of this bill, if it shall pass. It is interesting, Mr. Speaker, to note the differences of opinion entertained and expressed by the great doctors of economy on the other side of the House. The able gentleman who presents this rule tells us that it will not have any effect whatever upon the importation of coal into this country, that it will not affect the price, that it will not have any effect upon the importation of coal, while equally learned doctors on that side arise in their place and tell us that it will destroy the coal industry in their respective States, or greatly damage it. They not only say so on the floor here, but they say so in the public prints, if we are to depend upon what we see published in the newspapers of this morning.

Mr. MONDELL. Mr. Speaker, will the gentleman yield to a question?

The SPEAKER. Does the gentleman yield?

Mr. RICHARDSON of Tennessee. Yes.

Mr. MONDELL. As I understand it, this legislation is intended to relieve a condition which exists throughout the Eastern and Atlantic States. When I stated that the legislation would injure the industry in my State, I spoke what I believed to be the truth. There has been no demand for a reduction of duty in that region, and there is no one asking any relief there, even admitting that this measure will bring relief anywhere, which I do not.

Mr. RICHARDSON of Tennessee. The gentleman asked me to yield for a question and not for a speech. Now, I will ask him a question. Does he believe that this rebate or this taking the tariff tax off coal will reduce the price of coal in his State?

Mr. MONDELL. I do not believe it will.

Mr. RICHARDSON of Tennessee. Then how will it injure your coal producers?

Mr. MONDELL. It will have the effect of allowing Chinese-mined Canadian coal to seek the market now held by the coal mined in my State.

Mr. RICHARDSON of Tennessee. Will it reduce the price of coal to your people?

Mr. MONDELL. No, sir.

Mr. RICHARDSON of Tennessee. Then what is the objection to other coal coming in?

Mr. MONDELL. It will place in competition with our coal in the markets—

Mr. RICHARDSON of Tennessee. Well, but the gentleman stated it would not reduce the price.

Mr. MONDELL. Canadian-mined coal—and reduce our markets.

Mr. RICHARDSON of Tennessee. Answer the question: Will it reduce the price of coal? And if not, why does the gentleman object to other coal coming in?

Mr. MONDELL. It will possibly reduce a little the price of our coal in some of the markets which it seeks, but I doubt it. It will, however, even though the price is not reduced, let in a large quantity of Canadian coal, thus reducing our market.

Mr. RICHARDSON of Tennessee. That is all right. This admission is all we ask. Then we have that much confessed even by a protective-tariff man, that if you reduce the tax and reduce the tariff on an article it reduces the price to the consumer. [Applause.] This is Democratic doctrine and is common sense. I congratulate the gentleman on this confession.

I am glad to notice that some of this applause comes from the Republican side. I want to tell you, Mr. Speaker, that as this rule is drawn, the gentleman from Wyoming [Mr. MONDELL] will be denied the opportunity to offer his amendment to this bill, limiting the time of injury to his constituents to six months. They must stand it for twelve months. And yet when the gentleman goes home he will say to his constituents, "Why, I could not help it. We could not offer an amendment to the bill reducing the time you are to be injured." They may not think to ask him why he could not offer an amendment, but if they do, he will have to tell them that the reason he could not offer an amendment to stop this injury at the end of six months was because he voted to tie his own hands, to prevent himself from offering such an amendment. [Applause on the Democratic side.] Now are you going to do that?

Mr. MONDELL. Will the gentleman allow me for a moment?

Mr. RICHARDSON of Tennessee. Why, certainly, if you want to ask a question, not to make a speech.

Mr. MONDELL. I will also say to them that if I voted with gentlemen on the other side against the rule it would result in an attempt at an amendment that would give us not free coal for a year, but free coal for all time to come. [Applause on the Democratic side.]

Mr. RICHARDSON of Tennessee. I am very much obliged to my friend, Mr. Speaker. I could not have stated it better than that. The gentleman's side of the House has about 200 members. We have about 160 on this side. What does the gentleman say? That but for this ironclad rule, but for this severe rule, enough Republicans on that side of the House would have their consciences so moved and operated upon that they would join with gentlemen on this side of the House and give relief to a suffering people. [Applause on the Democratic side.] Now, is not that a beautiful position for gentlemen on that side of the House to take and voluntarily place themselves in? That is just what I was going to argue, Mr. Speaker, as a Democrat and as a Representative sitting upon this side of the Chamber, but the gentleman from Wyoming [Mr. MONDELL], voicing the sentiment of his people, has saved me from arguing at length that view of the case.

But the gentleman from Pennsylvania [Mr. DALZELL] says that it will not affect the market, that it will have no effect upon coal importations.

Mr. Speaker, not only does the gentleman from Wyoming differ from my friend from Pennsylvania, but other Republicans in this country differ from him. The great Republican Secretary of the Treasury differs radically with my friend from Pennsylvania. Why do I say that? Because in the month of October, when the exigency was upon this country, when the coal strike was prevailing, and an important election pending, the Secretary of the Treasury, in effect, substantially gave direction to the customs officers of this country to repeal or to nullify the present tariff law laying a tax upon coal. I say he substantially nullified it. He directed them, in effect, not to administer the law on the statute books, and placed there by the Republican party. So that when the Secretary of the Treasury wanted to give a little relief to a suffering people he found it necessary to nullify the Republican law on the statute books, which ought to be repealed to-day in full. If the repeal of this tax on coal would not help the people who consume coal, why did the Secretary of the Treasury give orders for its virtual suspension?

I say, Mr. Speaker, that this bill does not go far enough. We say that instead of a suspension or a rebate for twelve months the entire law should be repealed and the people given the relief which the Secretary of the Treasury undertook to give them by nullifying the law, and which the gentleman from Wyoming [Mr. MONDELL] says they will get under this law if it is passed.

In the Committee on Ways and Means we undertook to pass amendments to the pending bill. We sought to indefinitely extend the twelve months' limit. That was voted down. We sought to solve the problem by placing coal upon the free list. That was voted down. With the bill presented to us in this shape there is nothing for us to do but vote for it as a final resort. We can not and would not defeat it if we could by our votes, but, Mr. Speaker, when there are great exigencies in this country, when there are great emergencies, when great afflictions come, it is interesting to note the fact that the Republican party always resort to Democratic theories of government in order to bring relief to a suffering people. [Applause on the Democratic side.]

I am not outside of history when I tell you that when we have great fires in this country, as we had in a city in Maine at one time, and as we had in the great city of Chicago in 1871, when the people there were smitten by Providence, and great distress prevailed, the Republican party at once resorted quickly to Democratic measures of relief in order to assist the suffering people. [Applause.] They provided at once as a measure of re-

lief for those afflicted that all the supplies necessary for rebuilding should be placed upon the free list. And, mark you, that was when we had too much fire. But now, Mr. Speaker, when we can not get any fire at all, and the people are freezing to death, the Republican party again rushes to Democratic theories in order to afford relief. [Applause on the Democratic side.] The country will yet find that only in Democratic theories and policies is there perfect safety for the Republic at all times and under all conditions.

Now, why not do what we ought to do? Why not do what many Republicans on that side of the House promised their people in the campaign last year they would do, and that is give the people some relief from the onerous taxes under which they suffer? But instead of coming forward as you should have done at this session and passed a tariff bill reducing the tariff, so as to give relief to many industries of this country, thereby destroying, or at least reducing, the power of trusts to oppress the people, you come forward now, when you are compelled to modify the tariff, and you do it in this indirect, halting, and insincere way. You are afraid to permit amendments to be offered to the bill, as the gentleman from Wyoming says if you give a chance to amend this measure the people's representatives might vote more relief than you give in the pending bill.

Now, Mr. Speaker, I am not going to undertake to tell here, for I have not time, how this provision got into the Dingley tariff law. My friend from Pennsylvania found it necessary this morning, when no one had made a statement on this floor to-day, to come to the relief of the framers of this law. Well, now, he need not undertake to get up a wrangle or a row with anyone on this side of the House upon that question. I quote the language of an able and honorable gentleman who for years occupied a seat on that side of the Chamber, personally known to us all as an honorable and able man. In debate, as he was reported at the time, in the State of Michigan, I think it was, he said that this provision for coal was "sneaked" into the Dingley tariff bill.

Now, he has never denied that statement, so far as I know, and it has been published far and wide over this country. It was "sneaked," he said, "in a cowardly manner into the Dingley bill." If you want your row, take it with the Secretary of the Navy. It seems that nobody has denied the allegation that this provision was sneaked into the Dingley bill, but whether it was or not, Mr. Speaker, it is not necessary now to discuss. The question is, Ought it to be there? And these gentlemen by their action now come forward and are compelled to confess that it ought not to be there in the present exigency, and they themselves ask relief from their own law for a period of twelve months.

How much time have I left, Mr. Speaker?

The SPEAKER. The gentleman has five minutes remaining.

Mr. RICHARDSON of Tennessee. Now, Mr. Speaker, I can not go further in a discussion of this question. I only want to say this, that in my judgment this House ought to vote down this rule in order that we may present this measure in a better shape for the people. We can not offer to amend it under the rule; we can not make any change whatever in the bill, and must take it as it is if we adopt this resolution. The rule is unnecessary. The bill is itself privileged, and could have been called up under the rules at any time, but under the rules when so called up it would be open to amendment. This rule is only designed and intended to prevent the offering of amendments. Therefore we should vote down the rule, in order that the people of this country may have absolute and complete relief from the oppression of this "sneaking provision" in the Dingley tariff bill. Let us put coal where it ought to be—on the free list. [Loud applause on the Democratic side.] I yield five minutes to the gentleman from Mississippi.

The SPEAKER. The gentleman has four minutes.

Mr. WILLIAMS of Mississippi. Mr. Speaker, this is either a good bill or it is a bad bill. If it is a good bill, it is because after its passage the price of coal is going to be reduced to the people who are now suffering. If the price of coal is going to be reduced to the people now suffering, it will be because the tariff tax has been removed. Now, I believe that all men of common sense, when they are faced with an actual situation, do believe that a reduction of a tariff tax will have a tendency to cheapen in the market the article upon which the tax has been levied. I can not conceive that anybody would oppose a bill of this sort in an emergency like this, unless he were one of the class of people who think that it is better that a great number of men and women and children should freeze, or be cold at any rate, than that a few people should make less profit upon invested capital for a very short while.

Now, Mr. Speaker, such extreme haste to do a thing so long delayed, and so unjustifiably delayed, has seldom been witnessed. The gentleman from Pennsylvania tells us that this is an emergency measure, and so it is; but it is no new emergency. It is not a sudden emergency. It has been an emergency since the House

met upon the first Monday of December. [Applause.] Gentlemen can not now wait or delay long enough to let the House vote upon an amendment; can not wait long enough to let the representatives of the people propose or vote upon amendments. Now, the people themselves understand how things certainly are, and yet they have waited with their hands folded from the 1st day of December until now, to do what? To do partially and haltingly, hesitatingly and apologetically, as the gentleman's remarks bear witness, that which the Democratic party and that which all sound-thinking people of this country have been calling upon them to do ever since Congress met—to take the tariff off anthracite coal. True, the bill removes or suspends the tax for only a year. But going that far admits the principle for which we have contended and the efficacy of the remedy which we have suggested.

Now, Mr. Speaker, perhaps the severest possible arraignment of the authors of existing industrial conditions and policies consists in the statement, which is true, that this bill—poor, halting thing—"lame and impotent conclusion" as it is, is infinitely better than the present condition of things. We live in one of the richest countries of the world. We live in a country which has sent anthracite coal—at any rate the late Assistant Secretary of the Treasury, Mr. Vanderlip, says so—to Newcastle itself. And yet we have by our laws gotten ourselves—mining coal of that sort as cheaply as we have mined it—into a position where men in the most highly civilized cities of the world to-day, New York, Chicago, Boston, and Philadelphia, are shivering not only with physical cold, but with anxiety for their wives and their children, and when the relief was begged this House and the Senate sat idly by until a month and a half of winter is gone and its accompanying sufferings been experienced before they give it, and then give it but temporarily and haltingly. It is now the 14th of January. No coal will come from abroad for a month and—

The SPEAKER. The time of the gentleman from Mississippi has expired.

Mr. DALZELL. How much time has the other side occupied, Mr. Speaker?

The SPEAKER. The other side has occupied all of their time.

Mr. DALZELL. How much time have I remaining?

The SPEAKER. The gentleman has seven minutes.

Mr. DALZELL. I yield two minutes to the gentleman from Wyoming [Mr. MONDELL].

Mr. MONDELL. Mr. Speaker, I shall vote for this rule, but I shall vote against the proposed legislation. I vote for the rule knowing that the gentlemen on the Democratic side who vote against it do so with the hope and expectation of being able to pass legislation through the House placing coal upon the free list. I shall do all that I can when the time comes to prevent the passage of the bill, but I prefer to have the measure considered as it now stands, rather than to court the danger of permanently placing coal on the free list as desired by the gentlemen on the Democratic side.

Mr. DALZELL. Mr. Speaker, it will be useless at this time to undertake to enter into a tariff discussion, or to undertake to answer the threadbare argument that comes from gentlemen on the other side on that subject. When they passed their measure of perfidy and dishonor it contained a duty on coal. There is no distinction between the theories of the two parties on that subject; it is merely a question of a few cents in amount of duty.

Now, it is less than fair for the gentleman from Tennessee to repeat here the alleged words of the Secretary of the Navy with respect to the duty on coal. The Secretary of the Navy, subsequent to making that speech, made another speech in New England in which he conceded that he had been misled and in which he has put himself right. Now, mark the attitude of the other side. The gentleman from Mississippi is full of haste, but the gentleman from Tennessee complains that we will not let him play politics here; allow him to put in the time that ought to be spent in passing this bill in offering fruitless amendments that could amount to nothing, and then, after they had all been voted down, permit him to make a motion to recommit. The hypocrisy of the attitude of the gentlemen on the other side was never more apparent than it is as demonstrated by the gentleman from Tennessee to-day. Mr. Speaker, I ask for a vote. [Applause on the Republican side.]

The SPEAKER. The question is on agreeing to the amendments to the resolution.

The question was taken; and the Speaker announced that the ayes had it.

Mr. RICHARDSON of Tennessee. I demand a division, Mr. Speaker.

As the House was proceeding to divide,

Mr. RICHARDSON of Tennessee. Mr. Speaker, is this vote upon the amendment?

The SPEAKER. It is.

Mr. RICHARDSON of Tennessee. Then I withdraw my demand.

The SPEAKER. The gentleman from Tennessee withdraws his demand. The ayes have it, and the amendment is agreed to. The question now is on agreeing to the resolution as amended.

The question was taken; and there were on a division (demanded by Mr. RICHARDSON of Tennessee)—ayes 136, noes 110.

Mr. RICHARDSON of Tennessee. Mr. Speaker, I demand the yeas and nays on the passage of the resolution.

The yeas and nays were ordered.

The question was taken; and there were—yeas 144, nays 116, answered "present" 6, not voting 88; as follows:

YEAS—144.

Adams,	Draper,	Hull,	Powers, Me.
Alexander,	Driscoll,	Irwin,	Powers, Mass.
Allen, Me.	Dwight,	Jones, Wash.	Prince,
Aplin,	Eddy,	Kahn,	Reeves,
Babcock,	Emerson,	Ketcham,	Schirm,
Bartholdt,	Esch,	Knapp,	Scott,
Bates,	Fletcher,	Kyle,	Shattuc,
Beidler,	Foerderer,	Lacey,	Shelden,
Bingham,	Fordney,	Landis,	Showalter,
Blackburn,	Foss,	Lawrence,	Sibley,
Blakeney,	Foster, Vt.	Lessier,	Skiles,
Boutell,	Fowler,	Littauer,	Smith, Ill.
Brandegree,	Gardner, Mass.	Littlefield,	Smith, Iowa
Brick,	Gardner, Mich.	Lovering,	Smith, H. C.
Bromwell,	Gardner, N. J.	McCall,	Smith, S. W.
Brown,	Gibson,	McCleary,	Southwick,
Brownlow,	Gill,	McLachlan,	Sperry,
Burke, S. Dak.	Gillet, N. Y.	Mahon,	Steele,
Burkett,	Gillett, Mass.	Mann,	Stevens, Minn.
Burleigh,	Graff,	Marshall,	Stewart, N. J.
Burton,	Greene, Mass.	Martin,	Sulloway,
Butler, Pa.	Grosvenor,	Mercer,	Sutherland,
Cannon,	Grow,	Metcalfe,	Tawney,
Capron,	Hamilton,	Miller,	Taylor, Ohio
Conner,	Haskins,	Minor,	Thomas, Iowa
Coombs,	Haugen,	Mondell,	Tirrell,
Cooper, Wis.	Heatwole,	Morgan,	Van Voorhis,
Corliss,	Hedge,	Morrell,	Vreeland,
Cromer,	Hemenway,	Morris,	Wachter,
Crumppacker,	Henry, Conn.	Moss,	Wadsworth,
Currier,	Hepburn,	Mudd,	Wanger,
Dahle,	Hildebrandt,	Otjen,	Warner,
Dalzell,	Hill,	Overstreet,	Warnock,
Deemer,	Hitt,	Parker,	Watson,
Dick,	Holliday,	Patterson, Pa.	Woods,
Douglas,	Howell,	Payne,	Wright.

NAYS—116.

Adamson,	Flanagan,	Lindsay,	Ryan,
Allen, Ky.	Fleming,	Little,	Scarborough,
Bartlett,	Flood,	Livingston,	Shackelford,
Bell,	Gaines, Tenn.	Lloyd,	Shafroth,
Belmont,	Gaines, W. Va.	McClellan,	Shallenberger,
Benton,	Gilbert,	McCulloch,	Sheppard,
Billmeyer,	Glass,	McDermott,	Sims,
Brantley,	Glenn,	Maddox,	Slayden,
Breazeale,	Goldfogle,	Maynard,	Small,
Burgess,	Gooch,	Mickey,	Smith, Ky.
Burleson,	Green, Pa.	Miers, Ind.	Snodgrass,
Caldwell,	Griffith,	Moon,	Snook,
Candler,	Hay,	Napfen,	Stark,
Cassingham,	Henry, Tex.	Neville,	Stephens, Tex.
Clark,	Hooker,	Padgett,	Sulzer,
Clayton,	Howard,	Patterson, Tenn.	Swann,
Cochran,	Jett,	Perkins,	Tate,
Conry,	Johnson,	Pierce,	Taylor, Ala.
Cooney,	Jones, Va.	Randall, Tex.	Thayer,
Cooper, Tex.	Kern,	Reid,	Thomas, N. C.
Cowherd,	Kitchin, Claude	Rhea,	Trimble,
Davey, La.	Kitchin, Wm. W.	Richardson, Tenn.	Vandiver,
Davis, Fla.	Kleberg,	Rixey,	Wheeler,
De Armond,	Klutz,	Robb,	White,
Dismore,	Lamb,	Robertson, La.	Williams, Ill.
Dougherty,	Latimer,	Robinson, Ind.	Williams, Miss.
Elliott,	Lester,	Rucker,	Wilson,
Feely,	Lever,	Ruppert,	Wooten,
Fitzgerald,	Lewis, Ga.	Russell,	Zenor.

ANSWERED "PRESENT"—6.

Barney,	Dayton,	Jenkins,	Kehoe.
Broussard,	Griggs,		

NOT VOTING—88.

Acheson,	Cushman,	Lewis, Pa.	Reeder,
Ball, Del.	Darragh,	Long,	Richardson, Ala.
Ball, Tex.	Davidson,	Loud,	Roberts,
Bankhead,	Dovener,	Loudenslager,	Robinson, Nebr.
Bellamy,	Edwards,	McAndrews,	Rumple,
Bishop,	Evans,	McLain,	Selby,
Boreing,	Finley,	McRae,	Sherman,
Bowersock,	Foster, Ill.	Mahoney,	Smith, Wm. Alden
Bowie,	Fox,	Meyer, La.	Southard,
Bristow,	Gordon,	Moody, N. C.	Sparkman,
Brundidge,	Graham,	Moody, Oreg.	Spight,
Bull,	Hanbury,	Mutchler,	Stewart, N. Y.
Burk, Pa.	Henry, Miss.	Needham,	Storm,
Burnett,	Hopkins,	Nevin,	Swanson,
Butler, Mo.	Hughes,	Newlands,	Talbert,
Calderhead,	Jack,	Norton,	Thompson,
Cassel,	Jackson, Kans.	Olmsted,	Tompkins, N. Y.
Connell,	Jackson, Md.	Palmer,	Tompkins, Ohio
Cousins,	Joy,	Pearre,	Underwood,
Creamer,	Knox,	Pou,	Weeks,
Crowley,	Lanham,	Pugsley,	Wiley,
Curtis,	Lassiter,	Ransdell, La.	Young.

So the resolution was adopted.

The following pairs were announced:

For the session:

Mr. DAYTON with Mr. MEYER of Louisiana.

Until January 15:

Mr. JENKINS with Mr. LANHAM.

Until January 25:

Mr. DOVENER with Mr. BROUSSARD.

Until further notice:

Mr. NEEDHAM with Mr. RANDELL of Louisiana.

Mr. LOUDENSLAGER with Mr. RICHARDSON of Alabama.

Mr. CURTIS with Mr. MCANDREWS.

Mr. RUMPLE with Mr. ROBINSON of Nebraska.

Mr. JACK with Mr. FINLEY.

Mr. BOWERSOCK with Mr. BURNETT.

Mr. BOREING with Mr. KEOH.

Mr. HOPKINS with Mr. SWANSON.

Mr. LONG with Mr. NEWLANDS.

Mr. LESSLER with Mr. BURGESS.

Mr. BARNEY with Mr. THOMPSON.

Mr. ACHESON with Mr. SPARKMAN.

Mr. SOUTHARD with Mr. NORTON.

Mr. DAVIDSON with Mr. SELBY.

Mr. MOODY of Oregon with Mr. BELLAMY.

Mr. MOODY of North Carolina with Mr. FOX.

Mr. EVANS with Mr. FOSTER of Illinois.

Mr. STORM with Mr. PUGSLEY.

Mr. LOUD with Mr. GRIGGS.

For this day:

Mr. WM. ALDEN SMITH with Mr. EDWARDS.

Mr. SHERMAN with Mr. MUTCHLER.

Mr. BISHOP with Mr. BRUNDIDGE.

Mr. REEDER with Mr. MAHONEY.

Mr. BULL with Mr. CROWLEY.

Mr. LEWIS of Pennsylvania with Mr. TALBERT.

Mr. BALL of Delaware with Mr. BALL of Texas.

Mr. CALDERHEAD with Mr. BOWIE.

Mr. CONNELL with Mr. BUTLER of Missouri.

Mr. COUSINS with Mr. CREAMER.

Mr. GRAHAM with Mr. HENRY of Mississippi.

Mr. CUSHMAN with Mr. GORDON.

Mr. HANBURY with Mr. JACKSON of Kansas.

Mr. HUGHES with Mr. McLAIN.

Mr. JOY with Mr. UNDERWOOD.

Mr. KNOX with Mr. LASSITER.

Mr. NEVINS with Mr. POU.

Mr. YOUNG with Mr. MCRAE.

Mr. OLMSTED with Mr. SPIGHT.

Mr. STEWART of New York with Mr. WILEY.

Mr. GRIGGS. Mr. Speaker, I wish to ask whether the gentleman from California, Mr. LOUD, has voted?

The SPEAKER pro tempore (Mr. HEPBURN). He has not.

Mr. GRIGGS. Then I wish to withdraw my vote and be recorded "present."

Mr. GRIGGS was so recorded.

Mr. SWANSON. I desire to be entered "present," and to state that I am paired with the gentleman from Illinois, Mr. HOPKINS. If he were present, I should vote "no."

The SPEAKER pro tempore. Did the gentleman from Virginia [Mr. SWANSON] answer when his name was called?

Mr. SWANSON. I did not.

The SPEAKER pro tempore. The Chair thinks that under those circumstances the gentleman's name can not be entered.

Mr. SWANSON. I simply wanted to be entered "present."

The SPEAKER pro tempore. If the gentleman could be entered as "present," he could then change that response to a vote. The gentleman does not state that he was listening when his name was called and failed to hear it.

Mr. SWANSON. It was my impression that ever since the Fifty-first Congress the rule has been that a member present has the right to be entered "present."

The SPEAKER pro tempore. When a quorum fails to vote that would be the rule.

Mr. SWANSON. The simple question is as to the right of a member who is present to be entered "present." I understand the Chair to rule that, unless the member was listening when his name was called and failed to hear it, he can not be entered "present."

The SPEAKER pro tempore. The Chair so understands.

The result of the vote was announced as above stated.

The SPEAKER pro tempore. The Clerk will read the bill.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and required to make full rebate of duties imposed by law on all coal of every form and description imported into the United States from foreign countries for the period of one year from and after the passage of this act.

Mr. PAYNE. Mr. Speaker, I would ask the Chair to call my attention to the fact after I have occupied ten minutes.

The SPEAKER pro tempore. Without objection, the Chair will recognize the gentleman from New York [Mr. PAYNE] to control the time on one side and the gentleman from Tennessee [Mr. RICHARDSON] to control the time in opposition. [After a pause.] The Chair hears no objection.

Mr. PAYNE. Mr. Speaker, it is useless, of course, to comment upon the lamentable strike that occurred last summer.

Mr. RICHARDSON of Tennessee. Mr. Speaker, I did not hear the statement of the Chair in respect to the division of time. Will the Chair please repeat?

The SPEAKER pro tempore. The Chair said that he would recognize the gentleman from New York [Mr. PAYNE] to control the time in favor of the bill and the gentleman from Tennessee [Mr. RICHARDSON] to control the time in opposition.

Mr. RICHARDSON of Tennessee. Mr. Speaker, the only correction I desire to make to the statement of the Chair is that I do not control any time in opposition to the bill. I control one-half of the time, and I accept it as one-half of the time; but I can not accept it as one-half of the time in opposition to the bill, for I am not opposed to it, nor is any other gentleman on this side of the House, so far as I know.

The SPEAKER pro tempore. The gentleman will be recognized.

Mr. PAYNE. Gentlemen well know, Mr. Speaker, that the coal strike continued for a period of five months, that it covered nearly the whole anthracite region of the country, and that during that time very little coal was produced, so that out of the 67,000,000 tons annually mined in the anthracite regions, there was a shortage of at least 24,000,000 tons as has been recently stated. This amounts to nearly 8 per cent of the entire production of coal in the United States, both anthracite and bituminous. When this session commenced, or after it had commenced, several bills were introduced for the abolition of the duty, or the suspension of it, for sixty or ninety days or six months, for a drawback of the duty, and presenting other propositions, and I think that occasionally there were perhaps one or two bills introduced for the entire repeal of the duty upon coal; but the situation then was not so acute as it has become since.

Every day since operations have been resumed at the mines the situation has grown more acute. At first we were told we would have plenty of coal when the mines were in full operation. So far as my own locality is concerned the situation there has been growing better. There is more coal, and I am informed to-day that every man can have coal delivered at \$6.50 a ton, which is but 75 cents a ton higher than it was a year ago; so that there has not been this emergency for the passage of any bill until since we met after the holiday recess. The Ways and Means Committee took the matter up and concluded that the best form and the best way to meet this emergency was by a bill granting a rebate upon duties for the period of a year. As has been said, in the case of the Chicago fire a rebate of all duties was granted upon everything used in building there except lumber, and in the case of the Eastport, Me., fire a rebate of duties was granted upon lumber alone. Those were emergencies.

The gentleman from Tennessee [Mr. RICHARDSON] says that we adopted Democratic doctrines. Why, no; to meet an emergency is not Democratic doctrine. It was not Democratic doctrine to meet an emergency even when the floods devastated the South and destroyed life and property there. The appropriations we then made were not in accord with Democratic doctrine. The Democrats voted for it then, and at the same time they were talking about the Constitution and the constitutional rights of Congress to appropriate money to aid sufferers in the South. The Republican party has always stood to aid these people whenever the necessity occurred, and they have dragged some Democrats into voting with them upon these questions, but it was not Democratic doctrine. I did not intend, however, Mr. Speaker, and should not have said a word about those matters, if politics had not been brought in by the other side. I simply want to know whether this bill is sufficient to meet the emergency in this case.

I do not believe we are going to get more coal into this country or that we are going to get it cheaper in this country. It may be that while a few benevolent people have clubbed together in some towns and are importing coal direct and bringing it into this country and selling it at cost, that they will sell that coal to the poor people in their localities with the duty taken off, but the difficulty with the price of coal to-day is that there are so many men in the United States who are willing and anxious to make money out of the necessities of their fellows. Now, I do not know where we can place the blame in this case. The gentleman from West Virginia [Mr. DAYTON] says that he blames it upon the interstate-commerce law. That is the first time I have heard that idea suggested.

I understand that the railroads lay the blame upon the independent mine operators, that they are charging too much for their coal, and that the mine operators lay the blame upon the people in the locality—the retail dealers in coal. I think it may be that all of them are somewhat to blame, and all of them are more or less seeking the opportunity to make something out of the sufferings of their fellow-men and out of the scarcity of coal. I am willing, in order to relieve the situation in the way that some people believe it can be relieved, to go to the extent of the passage of this emergency bill.

Mr. COCHRAN. Mr. Speaker—

Mr. PAYNE. Mr. Speaker, I can not be interrupted. I have only ten minutes.

The SPEAKER pro tempore. The gentleman from New York declines to be interrupted.

Mr. COCHRAN. The gentleman does not seem to be anxious to hear what I have to say.

Mr. PAYNE. Now, Mr. Speaker, when I was interrupted I was about to say that the imports of coal into the United States during the past two years were 2,000,000 tons per year. They were about double what they were after our friends put a 40-cent duty upon it in 1894. They have increased that much under the increased duty of the Dingley law. And while we are importing this amount of coal, a large portion of which has come from the British North American possessions, we have been exporting into Canada and into the other British possessions, mainly into Canada, some 6,000,000 tons a year.

We have not exported so much there this year because of the strike, which cut off the supply of anthracite coal. They are feeling the scarcity of coal in the British possessions north of us. Similar conditions, though not to a degree of famine, obtain there, and I do not look for a large supply of coal under any circumstances from the British North American possessions. We may get some from the United Kingdom. Possibly this may in some way bring more coal to us from the United Kingdom. If that is so, I shall rejoice as heartily as anyone over the success of this measure in that direction. But we bring it forward simply as an emergency measure. We do not bring it forward as expressing our ideas upon the question whether there shall be a duty upon coal. We do not bring it forward with that idea, Mr. Speaker, because of the conditions on the Pacific coast, because of the conditions in the State of Wyoming, because of the conditions where our white labor in the mines is brought into direct competition with the Chinese labor in the British North American and Western possessions. I add some figures with reference to the exports and imports of coal.

Coal, anthracite and bituminous, imported from United Kingdom, Dominion of Canada (Nova Scotia, New Brunswick, etc.; Quebec, Ontario, Manitoba, etc., and British Columbia), Mexico, Japan, British Australasia, Germany, and Chinese Empire, and total United States imports, for the years ending June 30, 1894-1902, inclusive.

IMPORTS OF ANTHRACITE AND BITUMINOUS COAL, 1894-1902, BY COUNTRIES.

FROM UNITED KINGDOM.

Year.	Anthracite (free).		Bituminous (duti-able).	
	Tons.	Value.	Tons.	Value.
1894.....	69,748	\$186,268	119,450	\$340,082
1895.....	76,420	195,564	100,615	315,228
1896.....	148,120	340,846	75,128	213,850
1897.....	85,628	196,021	54,469	150,909
1898.....	5,455	12,826	136,032	314,313
1899.....	409	1,895	106,860	263,294
1900.....	-----	-----	126,766	350,064
1901.....	-----	-----	54,160	200,455
1902.....	286	1,844	100,906	387,476

FROM DOMINION OF CANADA.

(1) Nova Scotia, New Brunswick, etc.

Year.	Tons.	Value.	Tons.	Value.
1894.....	222	\$1,260	57,965	\$109,546
1895.....	78	277	77,910	127,841
1896.....	384	1,723	123,404	216,688
1897.....	428	2,088	165,539	342,429
1898.....	191	949	99,157	127,921
1899.....	-----	-----	122,033	159,050
1900.....	-----	-----	568,913	794,605
1901.....	-----	-----	580,256	748,300
1902.....	-----	-----	669,820	1,077,960

(2) Quebec, Ontario, Manitoba, etc.

Year.	Tons.	Value.	Tons.	Value.
1894.....	2	\$14	39,306	\$94,665
1895.....	502	1,819	30,337	71,301
1896.....	1,244	3,851	39,987	91,962
1897.....	903	4,748	41,392	94,438
1898.....	186	908	36,921	80,409

Coal, anthracite and bituminous, imported, etc.—Continued.

FROM DOMINION OF CANADA—continued.

(2) Quebec, Ontario, Manitoba, etc.—Continued.

Year.	Anthracite (free).		Bituminous (duti-able).	
	Tons.	Value.	Tons.	Value.
1899.....	192	\$789	55,008	\$125,609
1900.....	37	156	31,819	74,287
1901.....	1	6	26,351	64,330
1902.....	3	16	29,203	72,936

(3) British Columbia.

Year.	Tons.	Value.	Tons.	Value.
1894.....	-----	-----	674,085	\$2,570,313
1895.....	-----	-----	721,174	2,684,816
1896.....	-----	-----	627,257	2,322,188
1897.....	17	\$57	607,657	2,225,710
1898.....	19	46	618,041	2,179,835
1899.....	-----	-----	652,926	2,450,850
1900.....	-----	-----	750,205	2,864,237
1901.....	-----	-----	905,539	3,480,942
1902.....	-----	-----	783,233	2,826,596

FROM MEXICO.

Year.	Tons.	Value.	Tons.	Value.
1894.....	-----	-----	49,949	\$117,120
1895.....	-----	-----	54,419	109,674
1896.....	-----	-----	72,056	146,813
1897.....	-----	-----	98,356	210,293
1898.....	-----	-----	108,103	201,428
1899.....	-----	-----	120,105	234,884
1900.....	117	\$543	75,084	144,914
1901.....	-----	-----	33,843	67,637
1902.....	-----	-----	4,887	9,155

FROM JAPAN.

Year.	Tons.	Value.	Tons.	Value.
1894.....	5	\$17	13,206	\$29,000
1895.....	-----	-----	11,769	23,006
1896.....	-----	-----	3,972	7,397
1897.....	2	9	1,579	3,928
1898.....	-----	-----	2,675	8,075
1899.....	-----	-----	7,552	21,412
1900.....	-----	-----	10,177	38,691
1901.....	-----	-----	7,011	17,341
1902.....	-----	-----	17,124	50,987

FROM BRITISH AUSTRALASIA.

Year.	Tons.	Value.	Tons.	Value.
1894.....	-----	-----	190,071	\$433,207
1895.....	-----	-----	262,364	512,651
1896.....	-----	-----	302,159	558,329
1897.....	-----	-----	286,329	510,973
1898.....	-----	-----	288,877	481,384
1899.....	-----	-----	191,968	355,436
1900.....	-----	-----	140,771	261,566
1901.....	-----	-----	366,288	790,019
1902.....	-----	-----	334,862	880,438

FROM GERMANY.

Year.	Tons.	Value.	Tons.	Value.
1894.....	3,004	\$6,199	-----	\$2
1895.....	-----	-----	619	1,538
1896.....	-----	-----	520	1,489
1897.....	-----	-----	250	595
1898.....	-----	-----	222	816
1900.....	-----	-----	100	428
1901.....	-----	-----	1,516	6,151
1902.....	-----	-----	898	3,339

FROM CHINESE EMPIRE.

Year.	Tons.	Value.	Tons.	Value.
1894.....	10	\$40	2,500	\$6,105
1895.....	-----	-----	40	149
1896.....	-----	-----	1,645	4,715
1897.....	-----	-----	2,264	4,897
1898.....	-----	-----	-----	-----
1899.....	-----	-----	350	2,100
1900.....	-----	-----	655	1,945
1901.....	-----	-----	-----	-----
1902.....	-----	-----	-----	-----

NOTE.—There was very little importation from countries not stated above.

TOTAL IMPORTS INTO THE UNITED STATES (GENERAL IMPORTS).

Year.	Tons.	Value.	Tons.	Value.
1894.....	69,987	\$187,599	1,148,454	\$3,704,113
1895.....	80,004	203,859	1,260,109	3,848,365
1896.....	149,748	346,420	1,243,835	3,559,283
1897.....	86,978	202,923	1,287,977	3,553,876
1898.....	5,851	14,729	1,273,311	3,401,301
1899.....	601	2,684	1,258,784	3,565,793
1900.....	156	704	1,707,076	4,476,032
1901.....	1	6	1,977,238	5,381,474
1902.....	302	1,958	1,941,422	5,310,450

Coal, anthracite and bituminous, imported from and exported to British North America for the months of November, 1901 and 1902, and for the eleven months ending November, 1901 and 1902.

COAL IMPORTED FROM BRITISH NORTH AMERICA.

	Anthracite.		Bituminous.	
	Tons.	Value.	Tons.	Value.
For the month of November—				
1901.....			132,602	\$338,321
1902 (total United States).....	34,659	\$163,402	153,386	428,528
For the eleven months ending November—				
1901.....			1,333,156	3,718,367
1902.....	53,428	251,447	1,495,316	4,013,861

COAL (DOMESTIC) EXPORTED TO BRITISH NORTH AMERICA.

For the month of November—				
1901.....	108,465	\$496,299	237,138	\$551,607
1902.....	129,466	679,266	285,131	753,212
For the eleven months ending November—				
1901.....	1,821,858	8,177,650	2,972,573	6,621,459
1902.....	750,835	3,529,767	3,386,365	8,632,585

COAL IMPORTED FROM BRITISH NORTH AMERICA, JULY-NOVEMBER, 1902.

July, 1902.....	(a)	(a)	131,417	\$313,722
August, 1902.....	(a)	(a)	122,139	308,089
September, 1902.....	(a)	(a)	137,350	367,671
October, 1902.....	(a)	(a)	143,201	396,553
November, 1902.....	(a)	(a)	153,386	428,528

a Not separated. See total imports into the United States below.

TOTAL COAL IMPORTED INTO THE UNITED STATES.

July, 1902.....			175,222	\$430,501
August, 1902.....	2	\$10	156,944	410,199
September, 1902.....	485	2,287	191,173	538,525
October, 1902.....	18,266	85,634	234,948	663,235
November, 1902.....	34,659	163,402	411,248	1,254,794

Importations of bituminous coal, dutiable.

NOTE.—Anthracite not returned by countries.

Imported from—	July.			
	1901.		1902.	
	Quantity.	Value.	Quantity.	Value.
United Kingdom.....	Tons. 443	\$1,867	Tons. 423	\$2,966
British North America.....	120,454	338,150	131,417	313,722
All other countries.....	39,954	102,710	43,382	113,813
Total.....	160,851	442,727	175,222	430,501

Imported from—	August.			
	1901.		1902.	
	Quantity.	Value.	Quantity.	Value.
United Kingdom.....	Tons. 11,038	\$45,105	Tons. 8,728	\$35,853
British North America.....	106,105	271,066	122,139	308,089
All other countries.....	24,719	66,374	26,077	66,257
Total.....	141,862	382,545	156,944	410,199

Imported from—	September.			
	1901.		1902.	
	Quantity.	Value.	Quantity.	Value.
United Kingdom.....	Tons. 6,547	\$26,258	Tons. 21,076	\$84,034
British North America.....	117,852	316,948	137,350	367,671
All other countries.....	27,649	74,178	32,747	86,820
Total.....	152,048	416,784	191,173	538,525

Imported from—	October.			
	1901.		1902.	
	Quantity.	Value.	Quantity.	Value.
United Kingdom.....	Tons. 9,235	\$35,494	Tons. 59,604	\$180,980
British North America.....	90,161	235,917	143,201	396,553
All other countries.....	16,378	42,723	32,143	85,702
Total.....	115,774	314,134	234,948	663,235

Importations of bituminous coal, dutiable—Continued.

Imported from—	November.			
	1901.		1902.	
	Quantity.	Value.	Quantity.	Value.
United Kingdom.....	Tons. 17,997	\$84,481	Tons. 246,669	\$796,399
British North America.....	120,450	232,770	143,386	428,528
All other countries.....	35,341	93,831	21,193	29,897
Total.....	173,788	451,082	411,248	1,254,794

NOTE.—Figures for November, 1902, are preliminary advance figures, Treasury Department.

Coal importations into the United States.

	Anthracite (free).		Bituminous (duti-able).	
	Quantity.	Value.	Quantity.	Value.
Twelve months ending June 30—				
1900.....	Tons. 156	\$704	Tons. 1,707,076	\$4,476,062
1901.....	1	6	1,977,238	5,381,474
1902.....	302	1,958	1,941,422	5,310,450
July.....	1901.....		160,851	442,727
	1902.....		175,222	430,501
August.....	1901.....		141,862	382,545
	1902.....	2	156,944	410,199
September.....	1901.....	10	152,048	416,784
	1902.....	485	191,173	538,525
October.....	1901.....	2,287	115,774	314,134
	1902.....	18,266	234,948	663,235
November.....	1901.....	85,634	173,788	451,082
	1902.....	34,659	411,248	1,254,794

NOTE.—The figures for November, 1902, are from advance sheets, Bureau of Statistics, Treasury.

Mr. RICHARDSON of Tennessee. I yield five minutes to the gentleman from Georgia [Mr. MADDOX].

Mr. MADDOX. Mr. Speaker, I have been listening very carefully to the chairman of the Ways and Means Committee [Mr. PAYNE], and also to the gentleman on the Committee on Rules [Mr. DALZELL]. The gentleman from Pennsylvania [Mr. DALZELL] charged the gentleman from Tennessee [Mr. RICHARDSON] with playing the hypocrite. If you gentlemen over there believe what you have said, and if I understand what the term "skulduggery" means, that is exactly what you have been guilty of in this measure. [Laughter.] You come in here proposing as an emergency measure to relieve the people, as you say, and at the same time insisting that it will not do so. Now what do you think about that for hypocrisy? Have they not got cheek? They say, "We are satisfied it is not going to do any good. We know it will not reduce the price of coal, but nevertheless it is an emergency measure, and we do not expect that anybody will stand in the way. In other words, we will just shove it right through, at the same time stating that it is going to do no good, and that it will not reduce the price of coal."

What about that for hypocrisy? That is another one of those deceptions of the people, doing no good, not expected to do any; and yet you propose to fool the people into thinking that you are going to do something for them. I think when the gentleman from Pennsylvania [Mr. DALZELL] stated that it would not have any immediate effect on the price of coal, he was correct in his statement; for when coal is selling in Washington to-day at \$8 a ton wholesale, and retailing anywhere from \$10 to \$15 a ton, I can not understand why people in Canada and elsewhere do not import their coal into this country and pay the tariff thereon. That is the strange thing to me, if that is true. It shows that the trouble is evidently somewhere else—perhaps the railroads.

But, Mr. Speaker, when we stand in this House to-day and insist on putting coal upon the free list, I want it understood that so far as I am concerned, at least, one Democrat knows that it requires revenue to run this Government; that we have got to levy a tax or a tariff upon something in order to produce sufficient revenue to run the country. I know that; but I undertake to say that if the experience of this country in the last twelve months has taught us anything, it is that coal ought to be on the free list. Gentlemen have done well, so far as that is concerned, in extending this time until the meeting of the next Congress. I agree with them on that. How do we know that in less than three months this strike will not be again repeated?

I notice in the newspapers this morning, and also from the statements of the gentleman from Pennsylvania [Mr. DALZELL] and of the gentleman from New York [Mr. PAYNE], that 24,000,000 tons of coal that ought to have been mined and now available in the country is not there, and has not been mined, by reason of a strike of the coal miners. Who knows when this strike is going to begin again? How do you know that it may not occur next

year, or this year, and be more extensive than it ever has been? And if there is one thing that the people must have, that one thing is coal. It is an absolute necessity. If there was nothing more in it than to provide other places where we may get coal while these strikes are on, we ought to have coal on the free list, so that we can get it from somewhere. We can not compel these people to dig coal. They will dig coal if they want to, or they will let it alone.

This thing had gone so far that it was proposed in some quarters by some of the ablest men in this country that the Government should take hold of this matter and condemn these coal mines and operate them for the public welfare.

The trouble about it is that you do not extend it long enough. In my judgment it ought to be on the free list, to counteract just such a condition as exists to-day. [Applause on the Democratic side.]

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. RICHARDSON of Tennessee. I yield five minutes to the gentleman from Missouri.

Mr. COCHRAN. Mr. Speaker, it would be interesting to know precisely where the gentleman from New York [Mr. PAYNE] first felt the thrill of sympathy for shivering humanity which led to the explosion we have just listened to. Possibly had the magnitude of the emergency he talks about impressed itself upon him earlier, he could have told us about it without such a display of vehemence, not to say of emotion. However, it is commendable that even at this late date he has come to a realization of the fact that it is our duty to at least try to relieve that situation. Over thirty days ago, I think as much as forty days ago, I introduced a joint resolution precisely similar in import to the measure now before the House.

I went to the chairman of the Ways and Means Committee [Mr. PAYNE] and asked him if his committee did not regard it as advisable to consider and favorably report that resolution. An appalling danger threatened millions of people in his own State, yet a smile and an insinuation that there was no likelihood of any such action was his reply. It seems to have required numerous deaths from cold and exposure and the clamor of his own people for justice to arouse him, and now he comes here and says that while he does not think the passage of this resolution will do any good, he believes that Congress should do all within its power. Six months ago, not now, was the time for action.

The failure of the President to do his duty then made certain the appalling situation of to-day. When he was galloping over the country talking about regulating the trusts, he knew that his Attorney-General, although in possession of evidence enough to convict the lawbreakers who manage the coal combine in Pennsylvania, was making no efforts to protect the people from the great injury they have suffered. The fat fryers to whom your gentlemen owe your seats [applause on the Democratic side] are in charge of the Government, and who believes that fat fryers and their beneficiaries will ever move effectively against monopoly?

The President and his Attorney-General know as well as they know they are living that three or four railroads own the anthracite coal mines in Pennsylvania and are carrying on business in direct violation of the statutes of that State and the antitrust laws of the United States. Everybody knows that if the sheriffs and marshals would lay their hands upon these rich lawbreakers as they do in the case of petty lawbreakers, the atmosphere could be cleared in thirty days.

And think of the proposition that the interstate-commerce law is accountable for the distress resulting from the anthracite coal strike! Why, when the interstate-commerce bill was passed, the Supreme Court, that immaculate tribunal which, we are told, must not be criticized, forthwith drew its teeth and claws by depriving it of all useful plenary powers, and its most vital features were thereby destroyed. Every report of the Interstate Commerce Commission from that day to this has asked Congress to amend the law so as to empower the Commission to deal with just such lawlessness as that practiced by this coal trust, but the law remains unamended.

Presidents have found time to make loud declamations against trusts and combinations, but they have never found time to call upon Congress to perform this plain duty. The organization of monopolies goes on, publicly and notoriously, with not a finger lifted to prevent it. Gentlemen, monopoly means extortion, and the extent of its outrage will always be measured by the possibilities of the situation.

Ordinarily, monopoly means inordinate profits. In situations such as we are dealing with it means barefaced robbery. Meantime, I reiterate the statement that lawbreakers like Mr. Baer, the great and good men who claim to hold the right to operate monopolies by divine right, go unwhipped.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. COCHRAN. In one-half minute more I want to say if this measure will not affect the price of coal, why not put it on the free list permanently? [Loud applause on the Democratic side.]

Mr. RICHARDSON of Tennessee. I yield five minutes to the gentleman from New York [Mr. GOLDFOGLE].

[Mr. GOLDFOGLE addressed the House. See Appendix.]

The SPEAKER pro tempore (Mr. HEPBURN). The gentleman from New York asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

Mr. BURLISON. Mr. Speaker, the gentleman from Pennsylvania [Mr. DALZELL], acting for the dominant party, has presented and caused to be adopted a rule, not alone limiting debate on this bill, but also providing that after debate the vote shall be taken and no intervening motion or amendment shall be allowed. Now, what is the real purpose of this rule?

Was it adopted because the well-known leaders on the left lack confidence that the members of their party would fail to vote down any amendment or motion they did not want? Oh, no; it was adopted to prevent record votes, indicating opposition to tariff revision, and also for the purpose of enabling members, when they return to outraged constituents, to hide behind the proposition that this rule had been adopted and that they had voted for the best measure of relief offered.

It is thus year after year the people are deceived. Mr. Speaker, I do not believe in the abdication of legislative functions on the part of Congress at any time or in any measure, but it has often been the policy of the dominant party to embody in tariff laws some such provision as this, which I will read, and after I have read it I want to ask the gentleman from New York [Mr. PAYNE], who has charge of this measure, why he did not add such a provision as an additional section to this bill:

SEC. 2. The President shall have the power and it shall be his duty if at any time after the expiration of one year after the passage of this act, he shall be satisfied that any agreement or combination has been entered into or understanding reached by and between the railroad companies engaged in the transportation of coal, or the owners or operators of the coal mines, or by reason of any strike or strikes, the effect of which is to increase the price of coal, to immediately suspend the duty prescribed in section 1415, Schedule N, of the tariff act of July 24, 1897.

Why do you not place anthracite coal on the free list?

Next year winter will come again, and the same conditions, the same combinations, the same indifference to public opinion, the same disregard of the public good which brought about the present deplorable conditions may present themselves, and again suffering and death will follow.

Why do you not make provision for permanent relief?

I will answer for you: for the same reason that the gentleman did not embody a section like that I have read in this bill. Because the great monopoly that controls coal in this country would not stand for it. The servants of the trusts did not dare to go against the bidding of their masters.

The question which has been raised by this extortion practiced by the coal monopoly presents only a phase of the trust issue. You have approached it haltingly. Such conduct on your part was to be expected. It is natural that you should deal with the trust issue hesitatingly and haltingly. You have full knowledge that the interests of the great masses of the people are arrayed on one side of this issue and the interests of those who put you in control of this Government's affairs and retain you there are on the other. You are between the devil and the deep blue sea. You can not run with the hare and at the same time stay with the hounds.

In the case in hand, when a remedy was really sought it seems there was but little trouble in finding it. The gentleman from New York [Mr. PAYNE] says he don't know where we can place the blame in this case. He hesitates between the railroads, the mine operators, and the retail dealers. If he is in doubt, he need not be. I will tell him where to place it. The real responsibility rests at the door of the Republican party.

Its absolute refusal to correct conditions which have resulted in rapid trust breeding within the past few years brings all these troubles. You are afraid to deal honestly with this great problem.

Within six days of the adjournment of the first session of the Fifty-sixth Congress you rushed through this House an antitrust measure which possessed some good features. We on the right then charged that you were insincere—that the measure would die where it was intended it should die, in the Senate end of this Capitol. During the national campaign which followed, this bill was constantly referred to as what the Republican party proposed to do with the trust question, but when the short session came it was not even remotely alluded to by any member of the dominant party. However, it served its purpose.

Your record on this issue is one of hesitancy and double dealing. The only statute on the books relating to trusts bears the

name of a Republican who voted against it, and it in fact, is in the main, the handiwork of a distinguished Democrat.

Surely there should be no hesitancy to take action against trusts, these menaces to the public good when one is brought to a full realization of the rapidity with which they are increasing, not alone in numbers, but in their ability to do harm.

The venerable senior Senator from Massachusetts, however poor he may be in practice, has lost none of his power to preach of the evil manifestations in our body politic. He has recently pointed out what the modern trust means. He says it means:

1. Destruction of competition;
 2. The management of local industries by absentees in the interest of absentee capital;
 3. Destruction of local public spirit;
 4. Fraudulent capitalization;
 5. Secrecy;
 6. Management for the private benefit of the officials;
 7. The power to corrupt elections, and in some cases to corrupt the courts;
- And which he might have added, is often used, conspicuously in the Presidential contests of 1896 and 1900.

8. The want of personal responsibility to public sentiment;
- And he might have added disregard of the public good.
9. The absence of personal liability for contracts or wrongdoing;
10. The holding of vast properties in mortmain—in the "dead hand," if we may use the ancient phrase of the English law. But it has life enough for all purposes of power to serve the will that wields it. It is dead only to the influence of any nerve which comes from the brain or heart of the people.

Congress will enact this measure of temporary relief as against one of these cruel monopolies, but what will you do to relieve the people from the oppression of the horde of "infant industries" which have developed into giant trusts and are feeding upon them? Let us examine the recent utterances of the chief exponent of your party's views and see if we can gather light.

One of two conclusions is forced upon any intelligent person who attempts to follow the development of the President's views on this great question.

Either he has no settled convictions regarding a correct remedy for this great evil, or he is afraid to announce his real views and seeks to mislead or involve in doubt anyone who attempts to ascertain the bent of his mind.

From the time we find him speaking so glibly in Minneapolis, in September, 1901, about "shackling, cunning, etc.," to his latest utterances on this subject, in his message sent to Congress at the beginning of this session, we find him, if the press has quoted him correctly, advocating different remedies at different times. At one time he urges the immediate adoption of a constitutional amendment increasing the power of the General Government to deal with this subject.

This suggestion, after the scathing denunciation of same by the junior Senator from Massachusetts, who emphatically stated that it was thoroughly impractical if not absurd, seems to have been at once abandoned. Next we find him advocating publicity as the real cure-all to be resorted to; but a careful reading of his message would indicate that some influence had been brought to bear which brought about on his part a change of faith in that policy as a remedial measure.

When the suggestion is made that a revision of the tariff so as to reduce all tariff charges which serve "to shelter monopoly" might afford a remedy, the President rushes forward with a suggestion that we create "a permanent tariff commission," whose duty would be, I suppose, to intelligently advise Congress of changes necessary to be made in our existing tariff laws.

When the attention of the country was directed to the utility of this suggestion by recalling our experience with a tariff commission under the administration of President Arthur, when not a single recommendation made by it was observed, then we hear no more of a "permanent tariff commission" to advise Congress. But the suggestion of "a permanent tariff commission" involved the idea that some change in our tariff laws should be made, yet when it is shown that if revision is what is really wanted and that a tariff commission would result in nothing but delay, was in other words a mere subterfuge and a fraud, then we find the President undergoing still another change of mind. We find in his message that he says:

Many of the largest corporations, many of those which should certainly be included in any proper scheme of regulation, would not be affected in the slightest degree by a change in the tariff, save as such change interfered with the general prosperity of the country.

I am satisfied he must have had in mind the steel trust, the consolidated or amalgamated steel companies. They would not be affected in the slightest degree in their profits by a revision of the tariff; of course not; and hence their complete indifference to this suggestion of tariff revision.

The President in his message says further:

The only relation of the tariff to big corporations as a whole is that the tariff makes manufactures profitable, and the tariff remedy proposed would be in effect simply to make manufactures unprofitable.

I am quite sure he must have had in mind the steel trust again, or maybe the agricultural implement trust, both of which, after

paying ocean freight, undersell similar goods manufactured in free-trade England, and of course they are selling at a loss; it is the generous way of our Yankee trader!

Our President further states in his message that—

To remove the tariff as a punitive measure directed against trusts would inevitably result in ruin to the weaker competitors who are struggling against them.

Now, I know he must have had in mind the steel trust, because it is well known to us all how many weak competitors are struggling against this giant monopoly, which at all times commands the best talent for its service not alone within its factories but elsewhere, even on the floor of this House.

The President makes the statement, which one would think was decisive of his attitude on this question, that—

The question of regulation of the trusts stands apart from the question of tariff revision.

And yet, Mr. Speaker, anticipating that the people would demand relief from the cruel exactions of the coal trust, and knowing that when the pinch of cold was felt the people would not tolerate any equivocation, or temporizing with their just demands, the President in effect contradicts himself in his message by recommending that the tariff on anthracite coal should be removed.

He also said in this message, speaking of the revision of the tariff, that—

There must never be any change which will jeopardize the standard of comfort, the standard of wage of the American wage-worker.

By this I take it he meant to convey the idea that a reduction of the coal tariff would reduce the wages of the coal laborers. Now, if the regulation of the coal trust stands apart from the question of the repeal of the tariff on coal, why does the President, when the crisis comes, when he knows that action must be taken, when the period arrives when the trust can no longer be served without outraging the people to such an extent that it would arouse their active resentment, why does he urge the removal of the duty, and why do you, the leaders of the Republican party on this floor, come with laggard steps, it is true, offering the same remedy?

Oh, what a tangled web we weave
When first we practice to deceive!

Mr. Speaker, what brought about the conditions which make this bill, which ought to permanently repeal the duty on anthracite coal, necessary? A few months ago the thousands of laborers who are engaged in mining anthracite coal requested an increase of wages, stating that the wage they were receiving was so scant that it did not enable them to give proper food and clothing to their wives and children. This request was denied, the same heartless instrumentality speaking for the coal trust then that now, in its efforts to recoup its losses, permits suffering on the part of the poor of this country.

As a result of this denial a strike was ordered—the only means offered organized labor to protect itself against the greed, the rapacity, and the brutality of consolidated wealth.

This strike continued for months, and notwithstanding the suffering it must have entailed on the families of the unfortunate coal miners, they conducted themselves with creditable forbearance. Finally, by stress of public opinion, the coal operators and railroads engaged in transporting coal, which together constitute the coal trust, were forced to accept propositions of arbitration, and coal mining was resumed.

Now, while the matters of dispute are still under consideration the coal trust attempts to recoup itself, and the price and supply of coal is such as to occasion intense suffering on the part of the people. What remedy do you, the membership of the dominant party, propose? The emergency is upon you. You must act. Notwithstanding your obligation to the trust, your disinclination to do anything inimical to their interests, you realize the people demand action. They insist that something be done by you to take them out of the clutches of this trust, which now sorely distresses them.

You offer to do what Democrats contend will in all such cases bring the consumers in this country relief. You offer the remedy of tariff revision. Yet from your standpoint you are pitifully inconsistent, and you know it.

What becomes of your stock argument that the tariff duty is a tax levied for the protection of American labor against the pauper labor of Europe? You have often sung the song, but now you are driven, looking at it from the orthodox Republican standpoint, to open the door to coal mined by pauper labor in England and Chinese labor in the Dominion of Canada, as was so plainly described by the gentleman from Wyoming a moment ago, and that, too, when the unfortunate miner is most in need of this vaunted protection against the pauper labor referred to.

Either you were hypocritical when you resorted to this argument or you are cruel now to the coal miners, who need all the help they can get to recover from the distress occasioned by the long strike.

You are not cruel. Your hearts are gentle and kind. This condition only serves to expose the rank hypocrisy of the Republican party on this tariff issue.

It has never been claimed by even its strongest partisans that the Republican party is other than a party of expediency. Your actions to-day once again accentuate this fact, for you recognize a sentiment is growing in this country in favor of tariff revision as an effective means of destroying monopolies, especially monopolies controlling the necessities of life.

No cry of "stand pat" can check it. No specious plea for "a nonpartisan tariff commission" to be appointed by a partisan of the high-protective policy will be permitted to delay it. No promise of "a revision of the tariff by its friends" will be accepted. This sentiment is not of a day's growth. Long ago it manifested itself in the great agricultural State of Iowa, as I had occasion to state during the last session of Congress, when I quoted from the governor of that State to the effect that he opposed "any tariff which afforded a shelter for monopoly." It was on yesterday again echoed by the junior Senator from that State. In fact, it has gathered such force and momentum that it has swept from office another distinguished son of that State, the presiding officer of this august body.

Mr. Speaker, in my opinion, we have outgrown the fetish of protection, especially protection which fosters monopoly and permits our own people to be pillaged in order that a trust may undersell those engaged in the same line in foreign markets, and that, too, at a price lower than we are charged at home for the same product.

The people will no longer be led astray by false and specious arguments. They are at last beginning to realize that they have been made the victims of injustice and extortion. They desire a revision of our outrageously oppressive tariff laws. They will demand a return of those days when equal rights were accorded to all and special privileges granted to none. Then the consumers of this country will be no longer taxed for the benefit of trusts and monopolies.

When this demand is earnestly made by the people, then the Republican Party will certainly go out of power. [Applause on the Democratic side.]

Mr. RICHARDSON of Tennessee. I hope that gentlemen on the other side will use some of their time. We have had four speeches on this side.

Mr. McCALL. I should like to ask the gentleman from New York [Mr. PAYNE] a question.

The SPEAKER pro tempore. Does the gentleman from New York yield?

Mr. PAYNE. Yes, sir.

Mr. McCALL. I should like to ask whether in the gentleman's opinion the rebate provided by this bill would apply to coal in bond at the time of the passage of the bill?

Mr. PAYNE. I think undoubtedly it would do so, because this rebate is a full rebate, a full discount on all coal coming into the United States; and the duty is not due until it is taken out of bond and enters into consumption. So that I have no doubt in answering the gentleman's question.

Mr. RICHARDSON of Tennessee. About how much coal is now in bond?

Mr. PAYNE. I will ask unanimous consent of the House to publish in the RECORD some tables on that subject. They have been prepared by the clerk of the committee, and are interesting. I ask unanimous consent for that purpose.

Mr. RICHARDSON of Tennessee. I ask that such leave be extended so that all members may have leave to print remarks in the RECORD on this bill for five days.

Mr. PAYNE. I have no objection to that.

The SPEAKER pro tempore. The gentleman from Tennessee [Mr. RICHARDSON] asks unanimous consent that all members may have leave for five days to print in the RECORD remarks on this question. Is there objection? The Chair hears none.

Mr. PAYNE. I will put those figures in the RECORD. I yield two minutes to the gentleman from West Virginia [Mr. DAYTON].

Mr. DAYTON. Mr. Speaker, representing a large coal-producing State, I want to say that I am satisfied that every man in that State would gladly do anything and everything in his power to relieve the famine and the distress that has come to the country on account of the scarcity of coal. At the same time I do not believe, nor can I by any logical process reach the conclusion, that this measure will afford a particle of relief. If it was possible for coal that was selling before the strike at 80 cents at the mines to be brought in competition with foreign coal simply by the release of a 67-cent duty, no man can tell me that, under the present extraordinary conditions, coal selling at the mines and commanding a price of from \$3 to \$4 a ton will be affected by this duty.

It seems to me, sir, that if the House wants to accomplish a remedy it can be done in a more practical way, and I say, simply as a suggestion, that if you will suspend for sixty days the provi-

sion of the interstate-commerce law which prohibits railroad companies from discriminating in the carrying of freight the miners in the coal-producing States will bring this famine to an end by producing a sufficient amount of coal.

I know it to be true that to-day the mines in my section are not running more than half time, simply because the railroads can not possibly handle the coal that is offered to them. It is simply an impossibility for them, with the motive power and the cars at their command, to move in one month's time an amount of coal that requires under ordinary conditions six months' time. Allow the coal roads for a limited period to refuse or discriminate against all other freight and devote, all, or nearly all, their cars and engines to the transportation of coal and I am sure, so far as soft coal at least is concerned, the famine will end. This they can not, as I understand, do under the requirements of the interstate-commerce law.

[Here the hammer fell.]

Mr. PAYNE. I yield two minutes to the gentleman from West Virginia [Mr. GAINES].

[Mr. GAINES of West Virginia addressed the House. See Appendix.]

Mr. PAYNE. Mr. Speaker, how much time have I remaining? The SPEAKER pro tempore. The gentleman has seventeen minutes remaining.

Mr. PAYNE. I yield five minutes to the gentleman from Wyoming [Mr. MONDELL].

Mr. MONDELL. Mr. Speaker, I am opposed to this measure, first, because I do not believe it will afford the relief desired and expected, for if foreign coals could be had in great enough quantity to break the present coal famine throughout the East, those coals would now be seeking and reaching our shores regardless of the 67 cents per ton tariff, in view of the fact that coal is selling all the way from \$1 to \$5 above its normal price.

I believe this legislation will utterly fail of its object. We are told that it is demanded by a strong public sentiment; that there is much popular clamor for it, largely brought about, in my opinion, by the extravagant statements of those Democratic doctrinaires who favor placing coal upon the free list; but its futility in relieving the situation and its efficacy before the expiration of the period for which it runs in depriving American miners of the opportunity of employment will be clearly demonstrated.

Foreign coals will not come to our Eastern ports under present conditions under this bill any more freely than they do now, but before a year shall have passed, during the summer season, when the demand is less, then foreign cargoes seeking markets will come into competition with our coal and will divide the trade, even though there be no reduction in price below the average or normal price at such season, and our mines will in that way be deprived of a considerable portion of their market.

It will not necessarily follow that the price of coal at the seaboard will be lowered by the abolition of the duty, provided foreign coals are relieved of the payment of the duty. Without a reduction in the normal or ordinary price of coal, our coal mines will lose a large portion of their trade and our miners a corresponding portion of their employment by the operation of the well-understood rule of trade that two articles of similar quality and character competing for the trade will, at an equal price, divide the market.

In the second place, I am opposed to the bill because it threatens to deprive the mines of my State of a large part of their market.

The coals of my State largely come in competition with coals which pay a less freight haul than we pay, mined by Chinamen in the mines of Canada, and; though there be no reduction in the present price of coal in the markets we supply, our coal will be largely displaced by foreign coals by the operation of the rule I have referred to. It is not necessary to reduce the price of coal in any market which the coals of Wyoming reach in order to deprive those coals of a large proportion of their market, providing, as under the provisions of this bill, you relieve the foreign shipper of the payment of duty.

Relieve him of 67 cents per ton of duty, and while he will not necessarily reduce the price of his coal, he will be able to meet the price our operators now make, and by so doing at least secure a large portion of our trade. A considerable portion of the five and one-half million tons of coal mined annually in my State now finds markets which will be sought under the provisions of this bill by coal mined in British Columbia and on Vancouver Island.

We have recently enacted a bill which keeps from our shores the Celestial, but by the passage of this act we open our seaports to his products. It will not reduce the price, and I wish the gentleman from Tennessee [Mr. RICHARDSON] to understand me on this point, because he does not seem to have done so. It will not reduce the price, in my opinion, one penny to the purchaser in the

markets that our coals now find, but by relieving the foreign coal of the payment of the 67 cents duty, it will allow them to come into our markets on more than even terms, and secure a very considerable portion of our trade.

I appreciate the fact that if the gentlemen on the other side were given the opportunity they would attempt to place coal on the free list, the result of which would be to absolutely wipe out a large portion of the industry in my State and in the adjoining States in the West.

The gentleman from Tennessee, the leader and spokesman of the minority, as well as all the gentlemen who have spoken on the Democratic side, has assured us that if his party were given the opportunity they would place coal permanently on the free list, and I thank God, as I desire the growth and development of my State and the prosperity of its people, that the time seems far distant when they shall have a majority in this House and an opportunity to destroy our industries.

They talk eloquently of their solicitation for the welfare of our people, but whenever an opportunity offers to strike at an industry giving employment to large numbers of people they never fail to do it.

My party has been dragooned into this futile and foolish application of a homeopathic dose of free trade because our Democratic friends, taking advantage of a temporary condition of real distress and coal shortage, have convinced a lot of unthinking people that the coal tariff is responsible for it. We know it is not, and we should stand by our convictions.

I sympathize with those poor people who are paying exorbitant prices for coal as much as any member of this House, but I am opposed to opening our splendid markets to foreigners in a futile attempt to relieve the situation at the expense of our own mine workers.

No people in the Union are more vitally interested in this legislation than those I represent.

When we seek a market at San Francisco or Puget Sound points we find there not only Japanese and English coals, brought over in ballast, but coals mined by Chinese labor on Vancouver Island, which reach our ports with a water freight which is but a fraction of the railway rates we pay to reach the same market.

In the States north and northwest of us, where we find large markets, we come in competition with coal mined at Gault, Lethbridge, and other points in British Columbia. These coals are also mined by Chinese labor of the lowest type. They have no greater, and in some cases a less, freight haul than our coals, so that we are at a disadvantage both in cost of mining and in freight rates.

The tariff alone makes it possible to hold our markets against Canadian coals.

We have thousands of square miles of coal territory in my State. Coal mining is one of our most promising industries. Under the Republican policy of protection the industry has prospered, and I deeply regret that our party in the House of Representatives has been stampeded into the advocacy, even as an emergency measure, of this un-Republican legislation.

My only consolation in the present situation I find in the fact that the Republican majority of the House stands firmly by the doctrine of a protective duty on coal, which assures me that after the expiration of this measure, if it become a law, and the passing of the popular error which demands it, we may be assured that there will be no further tinkering with the coal tariff; and I cherish the hope that the damage threatened the labor and the capital of my State by this legislation will be minimized by reason of the fact that, should it be enacted, it will only be in force a year, and will therefore hold out no inducement to our Canadian competitors to open new mines or largely increase their output.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. MONDELL. Mr. Speaker, I ask leave to extend my remarks in the RECORD.

Mr. PAYNE. I would state that that has already been granted. Mr. Speaker, I yield two minutes to the gentleman from Pennsylvania [Mr. GROW].

Mr. GROW. Mr. Speaker, the history of anthracite coal production for a number of years shows that the production during the winter months, and I mean by that the entire production in anthracite, is not equal to the consumption for those months. Heretofore there has been a surplus at the end of the summer months of from fifteen to twenty millions of tons. The trouble to-day is that if the anthracite coal mines since the strike produced to their full capacity and the miners worked every day, which they have not done, the production would not equal the consumption heretofore during the winter months.

That permits the dealers who have coal to ask what price they please. There is no combination between the producers of coal. The Reading Railroad imposes upon its agents the condition that they shall not sell their coal for more than about \$7 a ton. But

they do not and can not produce enough to meet the market. Now, there is the trouble. So there is no occasion for this declamation against men honorable in business that they combine to make money out of the distresses of women and children. The charge is too often made by men ignorant of the facts in business.

Mr. Speaker, that is all I desire to say, that the state of things results from existing facts, and it results because the miners last summer did not produce a ton of coal during the period when they would ordinarily have provided a surplus for this winter of from 15,000,000 to 16,000,000 tons of coal.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES.

A message from the President of the United States was communicated to the House of Representatives by Mr. BARNES, one of his secretaries, who informed the House that the President had approved and signed bills of the following titles:

- On January 13, 1903:
H. R. 179. An act to amend the internal-revenue laws;
H. R. 1347. An act granting an increase of pension to Charles H. Webb;
H. R. 2440. An act granting an increase of pension to William D. Smith;
H. R. 2598. An act granting an increase of pension to Adrian M. Snyder;
H. R. 3513. An act granting an increase of pension to James W. Young;
H. R. 3745. An act granting an increase of pension to George Kerr;
H. R. 3825. An act granting an increase of pension to Lizzie I. Rich;
H. R. 4262. An act granting an increase of pension to Thomas P. May;
H. R. 5038. An act granting an increase of pension to William H. Hudson;
H. R. 5480. An act granting an increase of pension to John C. Nelson;
H. R. 5758. An act granting an increase of pension to Newton W. Elmondorf;
H. R. 5883. An act granting a pension to Martha A. Hollingshead;
H. R. 5888. An act granting an increase of pension to Potter Poutney;
H. R. 5951. An act granting an increase of pension to Ole Thompson;
H. R. 6970. An act granting an increase of pension to Monora Stimson;
H. R. 7109. An act granting an increase of pension to Stanton L. Brabham;
H. R. 7618. An act granting an increase of pension to Thomas Sheridan;
H. R. 7878. An act granting an increase of pension to William J. Remington;
H. R. 8145. An act granting an increase of pension to Harvey B. Linton;
H. R. 8146. An act granting an increase of pension to Thomas H. Owens;
H. R. 8414. An act granting an increase of pension to George Atkinson;
H. R. 9219. An act granting an increase of pension to Colmore L. Newman;
H. R. 9691. An act granting an increase of pension to James H. Joseph;
H. R. 9807. An act granting an increase of pension to Hiram Janes;
H. R. 9883. An act granting an increase of pension to William Kelley;
H. R. 10005. An act granting an increase of pension to William A. Henderson;
H. R. 10263. An act granting an increase of pension to Daniel J. Byrnes;
H. R. 10325. An act granting an increase of pension to Joseph Stonesifer;
H. R. 10462. An act granting an increase of pension to Mary A. Munson;
H. R. 10679. An act granting an increase of pension to James H. McKnight;
H. R. 11579. An act granting an increase of pension to John A. Wright;
H. R. 11890. An act granting an increase of pension to James Brown;
H. R. 12009. An act granting an increase of pension to George Baker;
H. R. 12165. An act granting an increase of pension to Caroline M. Stone;
H. R. 12632. An act granting an increase of pension to Bailey O. Bowden;

H. R. 12777. An act granting an increase of pension to George H. Young;
 H. R. 13052. An act granting an increase of pension to Charles K. Batey;
 H. R. 13352. An act granting an increase of pension to Charles E. Brown;
 H. R. 13457. An act granting an increase of pension to John S. Crosser;
 H. R. 13467. An act granting a pension to Joseph H. Woodruff;
 H. R. 13646. An act granting an increase of pension to John G. Heiser;
 H. R. 13690. An act granting an increase of pension to Freeman R. Gove;
 H. R. 13848. An act granting an increase of pension to James H. Chedester;
 H. R. 13943. An act granting an increase of pension to Charles M. Grainger;
 H. R. 14055. An act granting an increase of pension to Samuel Brown;
 H. R. 14098. An act granting an increase of pension to Albert M. Scott;
 H. R. 14144. An act granting an increase of pension to Fannie S. Cross;
 H. R. 14355. An act granting an increase of pension to Timothy Donohoe;
 H. R. 14377. An act granting an increase of pension to Jennett Stewart;
 H. R. 14421. An act granting an increase of pension to John Q. A. Rider; and
 H. R. 14732. An act granting an increase of pension to Grace M. Read.

REBATE ON COAL.

Mr. PAYNE. I reserve the balance of my time, and ask the gentleman from Tennessee [Mr. RICHARDSON] to exhaust his.

Mr. RICHARDSON of Tennessee. Mr. Speaker, how much time have I remaining?

The SPEAKER pro tempore. The gentleman has eleven minutes remaining.

Mr. RICHARDSON of Tennessee. How much has the other side?

The SPEAKER pro tempore. Ten minutes.

Mr. RICHARDSON of Tennessee. I yield six minutes to the gentleman from Missouri [Mr. DE ARMOND].

Mr. DE ARMOND. Mr. Speaker, the distinguished gentleman from Pennsylvania [Mr. DALZELL] has given the House his confirmed judgment that this measure will be productive of no good. In that state of the case it would seem to be incumbent upon him or somebody else entertaining the same view to give the House and the country a reason for its passage. Upon any theory that calls for its passage or for similar legislation it is incumbent upon those who control legislation in this body and in the one at the other end of the Capitol to say to the people of the United States why the legislation has been delayed, why six weeks have passed without any action. And later on perhaps it may be as pertinently inquired why are other weeks permitted to pass without any definite action.

But the question whether this measure, passed at this time, in this form, will or will not be productive of substantial good is not the real question that lies at the bottom of the whole contention. Suppose that such a measure as this, or, better still, one of a permanent nature, relating to the same subject, had been upon the statute book a year ago, had been upon the statute book when the coal famine began, when people were unable to lay in their ordinary supply of winter fuel. Who doubts that then fuel would have come in gradually from abroad to meet a growing necessity, and that the condition of things which now exists would have had no existence whatever in this country? It is not a question whether this legislation, so tardily and grudgingly brought forward, will be productive of much good, but the real question is whether or not such a law as would relieve this prime necessary of life from an onerous burden would or would not be productive of good to the general American public. With such a law upon the statute book, with the great necessities of life relieved from burdens placed upon them for the benefit of a few selfish producers, who can doubt in the light of experience, both of the present and the past, that very much of good would come to the American people?

It is safe to predict that even with this law—limited and circumscribed in its terms as it is, and to last for but a single year—upon the statute book no such state of distress will arise or exist in this country next year as we have now. Because if there be next year, as there was last year, an extraordinary demand for fuel, with the source of supply cut off in this country, owing to causes that I have not time to discuss, or to any other cause, the lack will be supplied from abroad. Gentlemen need not fear that in the good year 1903 there will be the distress and anxiety on

account of the scarcity of fuel in this country which the past year, 1902, witnessed. If there be a blockade, from whatever cause, if there be a denial to the people of a reasonable supply of this or other necessary articles at reasonable cost, and if the artificial barriers be removed, if the opportunity be given the people to supply themselves from abroad, there will be no danger, no ground of apprehension, that suffering will exist such as is broad-spread to-day.

This legislation, or legislation on this subject, ought to have been enacted the very first day of the assembling of this Congress. Aye, if regard had been shown for the necessities of the American people, if any of the leaves of experience in this country's history in times of distress had been read, such legislation would have had a permanent place in the law long ago.

This legislation will serve in its small way as an object lesson; and because it will, because gentlemen upon the other side realize that it will, they are so reluctant to furnish the material for the lesson.

But the lesson is taught, the lesson will be coned, the lesson will be learned; and I believe, in the light of bitter experience, of suffering in the pinching cold, in the horrors of zero weather without fuel, the American people will determine that it is not good for them to bar themselves from sources of supply which nature has given, which only the artificial laws of man interfere with or shut off; and that in their wisdom, learning out of bitter necessity the lesson which went unheeded in times of less stress, they will call upon you, gentlemen, call upon their legislators of whatever party, to give them an opportunity to get the things which they are bound to have if they would escape great suffering, and, in some instances, if they would preserve life itself—to give them an opportunity to get those things without paying exorbitant prices and without unnecessary and hurtful hindrance. Gentlemen can not push back the ocean that is pouring in upon them. They can not stay investigation and experience by talk. [Loud applause on the Democratic side.]

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. RICHARDSON of Tennessee. I yield five minutes to the gentleman from New Jersey.

[Mr. McDERMOTT addressed the House. See Appendix.]

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. PAYNE. Has the other side exhausted their time?

The SPEAKER pro tempore. The time on the other side is exhausted.

Mr. PAYNE. I yield the remainder of my time to the gentleman from Ohio [Mr. GROSVENOR].

Mr. GROSVENOR. Mr. Speaker, the policy of the Democratic party as represented upon this floor seems to be to oppose this measure by bitter denunciation, attacking the friends of the bill; by assailing their motives and purposes in bringing in the bill, and then hide behind an affirmative vote in favor of the bill, and thereby attempt to play politics in the hour of the country's trouble and peril.

I may say to the gentleman from New Jersey that, so far as my vote in favor of the report of this bill and in favor of the rule under which it is being considered, and the vote which I shall give in favor of the bill upon its passage, it is not a measure, and not intended by me to be, an invitation to any country to come here to destroy a great industry in the United States. This measure is a measure of expediency and emergency; and if it be true, as the gentleman says, that there will be no relief under it, at the end of a year the precedent conditions will of themselves go into operation, and there will be no further trouble about them, but if the gentleman wants to carry on a scheme intended to destroy the industries of this country—those that we already have—he will not find me, and I do not believe any considerable number of Republicans on this side of the House, with him in his enterprise. I am still a protectionist, and have unlimited faith in the triumph of our own people.

We can produce our own coal when conditions reestablish themselves. We have more coal in the United States than all the world, so far as discovered. Four-fifths of the coal of the United States lies in a virgin condition, and we have the labor and capital, the machinery and genius to furnish our markets at a fair price, and American business men in the long run, or in the shorter run, will settle all these questions.

The gentleman from Tennessee assaults the Republican party because we have any tariff on coal, and wants to know why we did not put the article perpetually on the free list. Well, I might answer the gentlemen by asking him how he came to vote for a tariff of 40 cents a ton, and that, too, on a short ton, apparently a not much lower tariff than the present tariff of 60 cents a ton. Why did he do that; why did the Democratic party in both branches of Congress in 1894 perpetrate such an outrage as that,

if it is an outrage, by passing a 40-cent tariff on the short ton in the Wilson bill?

Something has been said by the gentleman from West Virginia [Mr. DAYTON] about suspending the operation of the interstate-commerce law. I join him in a benediction upon that subject. I was one of the 26 in this House that voted against the passage of the law originally, and I have no sort of doubt I did right.

Mr. GAINES of West Virginia. Will the gentleman yield?

Mr. GROSVENOR. If the question is not too long.

Mr. GAINES of West Virginia. I wanted to say that my colleague is only in favor of the suspension of the law. Neither he nor I are opposed to the interstate-commerce law. I, for my part, believe in that law, but believe that its operation ought to be so far suspended for a period of sixty or ninety days that prosecutions could not be had under it by roads diverting—

Mr. GROSVENOR. Oh, I understand the gentleman.

Now, Mr. Speaker, the Baltimore and Ohio Railroad, that enters the great coal fields of West Virginia, long ago issued an order which I have read, and which I presume the gentleman from West Virginia [Mr. DAYTON] fully understands, to receive nowhere along their line any full car freight, excepting coal, and that great system of railroad is to-day carrying coal exclusive of all other freights in so far as carload lots are concerned. I do not believe in the interference with the Interstate Commerce Commission. It has done no good; it is a powerless Commission; a Commission without power and without efficacy, and has worked out precisely what its opponents charged it would when it was up before the House for final passage. It has stood in the way and blocked by inelastic rules the natural action of the great law of supply and demand in the traffic of the country. I would repeal the interstate-commerce law to-day and create a commission within the Department of Commerce, the bill which is pending here. I would create a power there that could give some efficacy in remedying these troubles, an aid to the President in his work in this direction.

Now, the Republicans in this House have brought this measure here as an experiment, and with a hope that good may come of it. I shall neither give an opinion that it is going to be worthless or that it is going to be effective. I hope for the best. It is enough to say that there seems to have been a demand from all over the country for everything to be done that could be done to bring about some relief of the pinch of this coal famine. It will not affect the price of soft coal by competition anywhere this side of the Missouri River, unless possibly in New England. It could not do that, except possibly the cheaper and poorer coal of Nova Scotia may crowd the market at a later day in the summer in those States.

But, Mr. Speaker, lest I forget it, I would like to admonish my friends of the East, and the authorities in the East, that there are some things besides grumbling about railroad combinations that they might do to remedy their condition. If I was going to make a suggestion that would do more to relieve the people of the Eastern States from the chances and dangers of a repetition of the coal famine, I should advise them to take off the statute book the laws which they have passed; take out the regulations by city ordinances of the cities, which discriminate against bituminous coal. That is where they got themselves into the trouble that they are laboring under now. They worked this indirectly to create a power in this monopoly in hard coal and the effect is now being realized.

Let the people understand once and for all that the building up of a monopoly does not always exist necessarily in the combination of railroads, but the arguments that are made to the people about the cleanliness and the healthfulness of hard coal, and the bad effects of soft coal, by which law after law and ordinance after ordinance have been launched against this commodity, has done more than all else to prevent the accumulation of a supply of coal during the summer of 1902. Get rid of all these discriminations and let the people burn that fuel which they see fit to burn, and do not be alarmed about a little uncleanness as the result of the use of the commodity, and you will have a great deal more coal a year from now than you have at the present time.

Now, Mr. Speaker, I am not going to argue the case of the coal railroads of Pennsylvania that deliver this coal in New York. An investigation has been started at each end of this Capitol to try to find out what is the real trouble, and premature opinions are unwise. I predict now—and I give the prediction for the benefit of the gentleman from Missouri [Mr. COCHRAN]—I predict that it will be discovered that the combination that he attacks and charges with being criminal, and the combination whose members the gentleman from New York [Mr. GOLDFOGLE] says ought to be in the penitentiary, will be found to be the least important element in connection with this trouble.

The SPEAKER pro tempore. The time of the gentleman has expired. The time allowed for debate on this bill has expired.

The bill was ordered to be engrossed and read a third time; and it was accordingly read the third time.

The SPEAKER pro tempore. The question is now on the passage of the bill.

Mr. RICHARDSON of Tennessee. On that question I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 260, nays 5, answered "present" 3, not voting 86; as follows:

YEAS—260.

Adams,	Eddy,	Kleberg,	Robb,
Adamson,	Elliott,	Kluttz,	Roberts,
Alexander,	Emerson,	Knapp,	Robertson, La.
Allen, Ky.	Esch,	Kyle,	Robinson, Ind.
Allen, Me.	Feely,	Lacey,	Rucker,
Applin,	Finley,	Lamb,	Ruppert,
Babcock,	Fitzgerald,	Landis,	Russell,
Barney,	Flanagan,	Latimer,	Ryan,
Bartlett,	Fleming,	Lawrence,	Scarborough,
Bates,	Fletcher,	Lessler,	Scott,
Beall,	Flood,	Lester,	Shackelford,
Belmont,	Foerderer,	Lever,	Shafroth,
Benton,	Fordney,	Lewis, Ga.	Shallenberger,
Billmeyer,	Foss,	Lewis, Pa.	Sheppard,
Bingham,	Foster, Vt.	Lindsay,	Showalter,
Boutell,	Gaines, Tenn.	Littauer,	Sibley,
Brandegee,	Gardner, Mass.	Little,	Sims,
Brantley,	Gardner, Mich.	Littfield,	Skiles,
Breazeale,	Gardner, N. J.	Livingston,	Slayden,
Brick,	Gibson,	Lloyd,	Small,
Bromwell,	Gilbert,	Lovering,	Smith, Ill.
Brown,	Gill,	McCall,	Smith, Iowa
Brownlow,	Gillet, N. Y.	McCleary,	Smith, Ky.
Brundidge,	Gillett, Mass.	McClellan,	Smith, H. C.
Burgess,	Glass,	McCulloch,	Smith, S. W.
Burke, S. Dak.	Glenn,	McDermott,	Snodgrass,
Burkett,	Goldfogle,	McLachlan,	Snook,
Burleigh,	Gooch,	Maddox,	Southwick,
Burleson,	Graff,	Mahon,	Sperry,
Burton,	Green, Pa.	Mann,	Stark,
Butler, Pa.	Greene, Mass.	Marshall,	Steele,
Caldwell,	Griffith,	Martin,	Stephens, Tex.
Candler,	Grosvenor,	Maynard,	Stevens, Minn.
Cannon,	Grow,	Mercer,	Stewart, N. J.
Capron,	Hamilton,	Metcalf,	Sulloway,
Cassingham,	Haskins,	Mickey,	Sulzer,
Clark,	Haugen,	Miers, Ind.	Swann,
Clayton,	Hay,	Miller,	Tate,
Cochran,	Heatwole,	Minor,	Tawney,
Conner,	Hedge,	Moon,	Taylor, Ohio
Conry,	Hemenway,	Morgan,	Taylor, Ala.
Coombes,	Henry, Conn.	Morrill,	Thayer,
Cooney, Tex.	Henry, Tex.	Morris,	Thomas, Iowa
Cooper, Wis.	Hepburn,	Moss,	Thomas, N. C.
Corliss,	Hildebrandt,	Mudd,	Tirrell,
Cowherd,	Hill,	Mutchler,	Trimble,
Cromer,	Hitt,	Naphen,	Vandiver,
Crowley,	Holiday,	Neville,	Van Voorhis,
Crumacker,	Hooker,	Otjen,	Vreeland,
Currier,	Howard,	Overstreet,	Wachter,
Dable,	Howell,	Padgett,	Wadsworth,
Dalzell,	Hull,	Palmer,	Wanger,
Darragh,	Irwin,	Parker,	Warner,
Davey, La.	Jackson, Kans.	Patterson, Tenn.	Warnock,
Davis, Fla.	Jackson, Md.	Payne,	Watson,
De Armond,	Jenkins,	Perkins,	Weeks,
Deemer,	Jett,	Pierce, Tenn.	Wheeler,
Dick,	Johnson,	Powers, Mass.	White,
Dinsmore,	Jones, Va.	Prince,	Williams, Ill.
Dougherty,	Joy,	Randall, Tex.	Williams, Miss.
Douglas,	Kahn,	Reeder,	Wilson,
Draper,	Kern,	Reeves,	Woods,
Driscoll,	Ketcham,	Reid,	Wooten,
Dwight,	Kitchin, Claude	Rhea,	Wright,
	Kitchin, Wm. W.	Richardson, Tenn.	Zenor.

NAYS—5.

Cushman,	Jones, Wash.	Mondell,	Patterson, Pa.
Gaines, W. Va.			

ANSWERED "PRESENT"—3.

Broussard,	Griggs,	Kehoe.
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NOT VOTING—86.

Acheson,	Creamer,	Loudenslager,	Schirm,
Ball, Del.	Curtis,	McAndrews,	Selby,
Ball, Tex.	Davidson,	McLain,	Shattuc,
Bankhead,	Dayton,	McRae,	Shelden,
Bartholdt,	Dovener,	Mahoney,	Sherman,
Beidler,	Edwards,	Meyer, La.	Smith, Wm. Alden
Bellamy,	Evans,	Moody, N. C.	Southard,
Bishop,	Foster, Ill.	Moody, Oreg.	Sparkman,
Blackburn,	Fowler,	Needham,	Spight,
Blakeney,	Fox,	Nevin,	Stewart, N. Y.
Boreing,	Gordon,	Newlands,	Storm,
Bowersock,	Graham,	Norton,	Sutherland,
Bowie,	Hanbury,	Olmsted,	Swanson,
Bristow,	Henry, Miss.	Pearre,	Talbert,
Bull,	Hopkins,	Pou,	Thompson,
Burk, Pa.	Hughes,	Powers, Me.	Tompkins, N. Y.
Burnett,	Jack,	Pugsley,	Tompkins, Ohio
Butler, Mo.	Knox,	Ransdell, La.	Underwood,
Calderhead,	Lanham,	Richardson, Ala.	Wiley,
Cassel,	Lassiter,	Rixey,	Young.
Connell,	Long,	Robinson, Nebr.	
Cousins,	Loud,	Rumple,	

So the bill was passed.

The following additional pairs were announced:

For the vote:

Mr. PEARRE with Mr. LANHAM.

For the balance of the day:

Mr. BURK of Pennsylvania with Mr. MAHONEY.

Mr. BARTHOLDT with Mr. UNDERWOOD.

Mr. SHERMAN with Mr. TALBERT.

Mr. SWANSON. Mr. Speaker, I am paired with Mr. HOPKINS, of Illinois. I would vote "aye" if he were present.

The SPEAKER. That statement is not in order.

Mr. POWERS of Maine. Mr. Speaker, I would like to vote.

The SPEAKER. Was the gentleman present and listening for his name?

Mr. POWERS of Maine. I do not think I can state that.

The SPEAKER. The gentleman can not vote, under the rule.

Mr. BROUSSARD. Mr. Speaker, I would like to know if the gentleman from West Virginia, Mr. DOVENER, has voted?

The SPEAKER. He has not voted.

Mr. BROUSSARD. I am paired with the gentleman.

The SPEAKER. Call the gentleman's name.

The Clerk called Mr. BROUSSARD's name and he answered "present."

Mr. GRIGGS. Mr. Speaker, I am paired with the gentleman from California, Mr. LOUD. He is not present and I wish to withdraw my vote.

The SPEAKER. Call the gentleman from Georgia.

The Clerk called Mr. GRIGGS's name and he voted "present."

The result of the vote was announced as above recorded.

On motion of Mr. PAYNE, a motion to reconsider the last vote was laid on the table.

ARMY APPROPRIATION BILL.

Mr. HULL. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 16567) making appropriations for the support of the Army for the fiscal year ending June 30, 1904.

The motion was agreed to.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union for the further consideration of the Army appropriation bill, with Mr. BOUTELL in the chair.

The CHAIRMAN. The Clerk will proceed with the reading of the bill.

The Clerk read as follows:

ADJUTANT-GENERAL'S DEPARTMENT.

For contingent expenses at the headquarters of the several military departments, including the staff corps serving thereat, being for the purchase of the necessary articles of office, toilet, and desk furniture, binding, maps, books of reference, professional newspapers and periodicals, and police utensils, to be allotted by the Secretary of War, and to be expended in the discretion of the several military department commanders, \$7,500.

For contingent expenses of the military information division, Adjutant-General's Office, including the purchase of law books, books of reference, periodicals and newspapers, and of the military attachés at the United States embassies and legations abroad, and of the branch office of the military information division at Manila, to be expended under the direction of the Secretary of War, \$10,000: *Provided*, That section 3682, Revised Statutes, shall not apply to the expenditure of this appropriation so far as it relates to the offices of the military attachés abroad and to said branch office at Manila: *And provided further*, That section 3648, Revised Statutes, shall not apply to subscriptions for newspapers and periodicals to be paid for from this appropriation.

Mr. CANNON. Mr. Chairman, I move to strike out the last word. I would like to ask the gentleman from Iowa [Mr. HULL] what is the meaning of the proviso that section 3648, Revised Statutes, shall not apply to subscriptions for newspapers and periodicals to be paid for from this appropriation, so far as it relates to the officers of military attachés, etc., at Manila? I ask the question in good faith.

Mr. HULL. It is to provide for little purchases of periodicals and matters for the department headquarters that have to be paid for in advance and come here and be approved. I will get the section in a minute. I will state to the gentleman that the department has requested a still further proviso, which I will submit in a few moments. The section provides that "no moneys appropriated for contingent, incidental, or miscellaneous purposes shall be expended or paid for official or clerical compensation." This allows them to pay their clerks there, as I understand it. By reference to page 132, Book of Estimates, there will be found the following:

It is desired that section 3682, Revised Statutes, shall not apply to the expenditure of this appropriation, in order that the military attachés and the officer in charge of the branch office at Manila may be enabled to employ natives to temporarily perform clerical services, as they can be obtained at very low rates of compensation.

Foreign book dealers and publishers as a rule refuse subscriptions to newspapers and periodicals without payment in advance, as they do not understand our methods; and it is desired that section 3648, Revised Statutes, shall not apply to these subscriptions, in order that the officer making them will not have to advance private funds and wait until the expiration of the terms of subscription for reimbursement, or have his accounts disallowed by the accounting officers of the Treasury Department.

Mr. CANNON. This does not change the law except for the year, then?

Mr. HULL. That is all.

Mr. CANNON. I very much doubt the wisdom, I will say to the gentleman, of suspending these two sections of the Revised Statutes. If they are necessary here in the United States, where we are under the white light of public criticism, and it was found

to be necessary to enact this legislation into permanent law which stood at the codification of the Revised Statutes away back a generation ago and still stands, much more is it necessary that there should not be a division or bureau—and I do not say that there will be—put at the discretion alone of whoever may be in command there, and this general appropriation available for their payment.

Mr. HULL. I would say to the gentleman that it does not increase the appropriation. They must administer it with proper economy, or they will run out of funds entirely. The appropriation is just the same, and according to the statement of the Adjutant-General it will be a matter of economy to permit them to hire these parties; and it is a matter of almost absolute necessity at Manila to allow them to purchase these newspapers and periodicals without advancing the money out of their own pockets.

Mr. CANNON. I want to call my friend's attention later on to the fact, if I understand it, that all this detail in the Army bill is largely deceptive; that there is a provision here that puts it all into one sum, I think, and that while they are seemingly specific—

Mr. HULL. That is for the pay of the Army only. That is my recollection.

Mr. CANNON. It does not apply then, to this?

Mr. HULL. It does not apply to these parts at all. I think if you will look you will see that it is for the pay of the Army—that is, all that the Paymaster-General disburses. I have not looked at it recently, but that is my understanding, that it is only what the Paymaster-General disburses. He has nothing to do with this.

Mr. CANNON. I will submit to the gentleman if he does not think it wise, if these sections of the statutes are suspended, that reports be made.

Mr. HULL. I assume that reports are made to the Secretary of War of the disbursement of every dollar of this fund.

Mr. CAPRON. That must be done under the general provision in the law.

Mr. CANNON. It may be made to the Secretary of War, but I do not know how much Congress may know of it.

Mr. HULL. I would say to the gentleman from Illinois that I would not raise any objection to an amendment, if he desires to offer it, providing that all such expenditures at Manila or by military attachés abroad shall be reported to Congress. If he will propose such an amendment as that I shall have no objection whatever to it. These sums are very small, as a rule, and I doubt if Congress would ever look at them.

Mr. CANNON. It seems to me that it is safer to have it done.

Mr. HULL. Suppose we pass this over without prejudice, and let my friend prepare the amendment.

Mr. CANNON. No; I want my friend to do that.

Mr. HULL. I do not like to prepare amendments.

Mr. CANNON. Suppose you pass it over for the present, then.

Mr. HULL. I have no objection to passing it over for the present. The Clerk can read.

The Clerk read as follows:

OFFICE OF THE CHIEF SIGNAL OFFICER.

Signal Service of the Army: For expenses of the Signal Service of the Army as follows: Purchase, equipment, and repair of field electric telegraphs, signal equipments and stores, binocular glasses, telescopes, heliostats, and other necessary instruments, including necessary meteorological instruments for use on target ranges; war balloons; telephone apparatus (exclusive of exchange service) and maintenance of the same; electrical installations and maintenance at military posts; maintenance and repair of military telegraph lines and cables, including salaries of civilian employees, supplies, and general repairs, and other expenses connected with the duty of collecting and transmitting information for the Army, by telegraph or otherwise, \$160,000.

Mr. HEPBURN. I should like to ask the gentleman in charge of the bill [Mr. HULL] at what place he thinks it would be proper for me to offer the amendment I suggested to the gentleman?

Mr. HULL. I would suggest that he offer it when we come to pay the Signal Service. That deals with the officers.

The Clerk read as follows:

For the purchase, installation, operation, and maintenance of a submarine cable for connecting the headquarters Department of the Columbia with military garrisons in southeastern Alaska, said cable to extend from a point at or near Fort Lawton, Seattle, Wash., via Sitka, Alaska, to Juneau, Alaska, to be immediately available and to remain available until expended, \$485,000.

Mr. CANNON. I want for the present, until I can ask about this, to reserve a point of order on this paragraph.

The CHAIRMAN. The gentleman from Illinois reserves the point of order on the paragraph.

Mr. CANNON. I must confess that I am not familiar with the service now from the headquarters of the Department of the Columbia to Alaska. This seems to be for the purchase, installation, operation, and maintenance of this line. I may withdraw the point of order when I understand about it. I suppose private parties own this line now. Why should we buy it?

Mr. HULL. Mr. Chairman, I will say to the gentleman that the only line we have to connect with our military telegraph in Alaska is by way of the Dominion of Canada, and the Chief Signal Officer sent to the committee a very full statement as to the

reasons why this should be done. It was considered somewhat confidential, and the clerk did not bring it in. In other words, we have a large extension of lines in Alaska which it was necessary for the Government to take up or else have our men isolated and the Government unable to communicate with them during a large part of the year. We are now dependent upon another government entirely to reach those lines. It is proposed to build a line between the Department of the Columbia and our military lines in Alaska, and have the connections made entirely under the control of the American Government. That, in brief, is the reason for it.

Mr. CANNON. I call my friend's attention to the fact that this is not for construction, but for the purchase, installation, operation, and maintenance, and so on.

Mr. HULL. It is for the purchase of wire; it is not for the purchase of a line now built.

Mr. CANNON. Is not there a line already opened, in whole or part?

Mr. HULL. Not making this connection. There is a line connecting all our posts in Alaska, for which we had an appropriation in this bill three years ago and continued it, but it is not a line that connects the Department of Columbia with Alaska in any way whatever.

Mr. CANNON. Is there a submarine cable that we propose to buy in whole or part?

Mr. HULL. My understanding, it is not. I will give you the information outside of a letter of the Secretary.

Mr. CANNON. I do not desire to embarrass anybody.

Mr. HULL. The gentleman can read it, or anybody else. The map shows the part proposed to be built. It is intended simply to connect this Government over its own lines.

Mr. CANNON. Where is the headquarters of the Department of Columbia? Is that on the map?

Mr. HULL. I understand the Department of California is San Francisco, and then the Department of Columbia includes the States of Oregon and Washington, and I think is at Vancouver.

Mr. PARKER. The hearings on page 23 cover this.

Mr. CANNON. I will say to the gentleman that this is a matter of legislation, and in the absence of real necessity ought not to come up on a bill of this kind. I will suggest to the gentleman that he let it pass over until the bill is completed, and in the meantime examine it himself, because I am quite sure that my friend would not desire to purchase a submarine line.

Mr. HULL. We are not purchasing it.

Mr. PARKER. We buy the cable and lay it ourselves.

Mr. HULL. It will be laid by the Government of the United States. It will be constructed exactly as the line was constructed by the Signal Corps of the Army and used by the Government for its business, and I presume be opened for business outside.

Mr. BARTLETT. May I ask the gentleman a question?

Mr. HULL. Certainly.

Mr. BARTLETT. I could not catch what the gentleman has been saying. I understand the gentleman from Illinois reserves the point of order. Do I understand that this will be an entirely new project, not work that we had already undertaken and is being continued?

Mr. HULL. It is a continuation, practically, of the Alaskan telegraph system.

Mr. BARTLETT. Now owned by the Government?

Mr. HULL. Now owned and operated by the Government. Over 1,100 miles in Alaska have been built by the Signal Corps upon appropriations made in the Army bill three years ago. I will read this much of the letter:

Without the present telegraph system of Canada, and until a cable is laid to Alaska from some point in the United States, the extensive Alaskan system of the Signal Corps, consisting of 1,121 miles, connecting military posts, is strategically left in the air.

Thus we have built nearly 1,200 miles of telegraph lines in Alaska and are now dependent on another government to allow us connection. I think, and very properly in my judgment, the Department thinks that it is an addition that we ought to at once build through our own territory and connect with our own line and our own country.

Mr. BARTLETT. I understand the gentleman to say that there are 1,100 miles in Alaska?

Mr. HULL. Over 1,100 miles.

Mr. BARTLETT. Owned by the Government?

Mr. HULL. Owned by the Government.

Mr. CAPRON. Built by the Signal Corps.

Mr. HULL. Mr. Chairman, I have no objection to letting this pass over, so that parties may examine it, without prejudice.

The CHAIRMAN. Without objection, the point of order is reserved and the section is passed over. The Clerk will read.

The Clerk read as follows:

For extra pay to expert riflemen, \$12,000: *Provided*, That expert riflemen, hereafter qualifying as such, shall receive \$1 a month in addition to their pay.

Mr. CANNON. I just reserve the point of order. This changes the law, as I understand. What is the necessity for it? What is to be its cost? Why should we pay expert riflemen; if so, why not all other experts?

Mr. HULL. Mr. Chairman, I will in answer say that the Navy Department does give their expert riflemen additional pay. There is a feeling all over the United States in the National Guard and in the Regular Army to encourage in every way possible those in the service to become expert shots.

This is new legislation subject, to point of order. The committee realize that, but believe it is in line of good administration, and it can not cost a very large amount of money. Twelve thousand dollars is appropriated here, and by the having an additional dollar, of course, afterwards it will increase, but it can not amount to a very large sum of money, and will largely increase the efficiency of the Army, in my judgment. I think the committee was unanimously in favor of the provision, and I think the people of the country are unanimously in favor of it, so far as we have heard from military organizations. It gives the expert riflemen of the Army the same pay that it gives the expert shots in the Navy.

Mr. GILLET of Massachusetts. What determines the expert?

Mr. HULL. The board that examines the record of marksmanship contests.

Mr. CANNON. What is the pay now?

Mr. HULL. He is a private soldier. They start in at \$13 a month and get extra pay for each year's service up to \$18 a month.

Mr. CANNON. Glancing through this bill, Mr. Chairman, it is considerably a legislative bill in this and many other provisions.

Mr. HULL. About the same as usual, including those reported by my friend from Illinois.

Mr. CANNON. I do not think so. On the contrary, I will say to my friend, in the kindest manner in the way of observation, that it is much easier to legislate by a provision like this, and touching the cable, and quite a number of other matters in this bill—it is much easier to legislate in connection with a general appropriation bill than it is to report and have each item considered on its merits. And in the general nature of things we tend constantly to increased legislation in connection with appropriations. I think to a greater extent touching naval affairs in the naval bill.

Mr. HULL. They report no other bill, and so they do all of their legislation upon that.

Mr. CANNON. Yes; but it seems to me that the tendency grows with the Military Committee, and I say it without any criticism, for it is in the nature of things. I do not think I would be justified in making the point of order if the committee was unanimous. I have no knowledge about expert riflemen; whether it is to end in an increase all along the line I do not know. Perhaps it ought to; I am not here to say.

Mr. HULL. If the gentleman from Illinois wishes, I will have read what the Secretary of War said on the subject.

Mr. CANNON. I would sooner have the opinion of my friend here and of his committee, with all due respect.

Mr. PARKER. Mr. Chairman, if the gentleman from Illinois will permit me, I will say a word about this matter. We already have a provision by general law for \$2 a month extra pay for marksmanship to coast artillerymen. This law is thoroughly stated by Secretary Root in a letter which is annexed to the report of the Military Committee. The committee has been utterly frank in the statement that this is new legislation, and has stated the reason for it. It is by special request of the Secretary of War.

When we remember that about every 200 shots go astray in every battle to one that hits, one expert who can hit every time is worth 200 men. To be able to shoot is the important thing in the Army. In the Navy all sorts of rewards are offered for expert shooting. They do not appear upon the naval bill for the simple reason that in the naval appropriation bill it has always been recognized that the President was the commander in chief of the Navy, as he is said by the Constitution to be the commander in chief of the Army, and all that the naval bill does is to appropriate a gross sum of money for the pay of the Navy, while the President by regulation can change from time to time, and fixes the amount that shall be paid to the various sailors for long service and for good service. The pay of the gunners and master's mates and all the various grades in the Navy are fixed from time to time according to the exigency of the service, and thereby they obtain expert shots by paying them for it.

It is possible that we should have a better Army if organized in the same way, but we only pay by strict military law. We pay the private so much pay, as fixed by statute, with a rise for his length in service; we pay the corporal so much, and the sergeant so much, and not a dollar more can we pay him although he is as valuable as 20 men. When we want to pay a little more to a man who, in time of war will be worth 20 other men, and want to

encourage expert efficiency with the rifle by an increase of pay, we have to come to Congress, and because a special bill would have little chance of being heard, we have to come by way of the general appropriation bill. We only ask to do what was done by special bill for the coast artillery, and is done without a bill all through the naval administration. I do hope the gentleman from Illinois will not only withdraw his objection, but say that he thinks it is a change that ought to be made for the good of the Army.

Mr. HEPBURN. I hope the gentleman from Illinois [Mr. CANNON] will not insist upon this point of order, for two reasons: First, because I think this is a most meritorious piece of legislation; and second, because I do not want the habit of objection to become chronic with my friend from Illinois. I have an amendment that I want to offer very soon, and I know it is subject to a point of order, and therefore I do not want this habit of objection confirmed so as to reach my case. [Laughter].

Mr. Chairman, I think a great deal may be said in favor of the proposition; this provision is one of the most important in this bill; and I should like it better if, instead of making provision for additional pay at the rate of \$1 a month, it provided for five times that much.

In the Army we used to spend days and weeks and months in drilling the troops. The regiment of which I was once a member spent, I know, months of its time in attempting to perfect the soldiers in mere matters of evolution; and we became so expert after a while that we could perform with reasonable accuracy every evolution known to cavalry tactics. And yet, so far as practical use is concerned, we never used a half dozen different movements in all the real service that we performed. A half dozen movements will cover all that any regiment of infantry performed during any war that we have had on this continent. Yet we spent months in drill of that kind, and very little time in target practice. My regiment never expended a cartridge of the Government in target practice authorized by the authorities. It has been shown that in the engagements of the Mexican war our army expended 70 cartridges in order to produce a result.

At the battle of Murfreesboro the Federal troops expended 119 cartridges to kill or wound a man. Yet as an illustration of the contrary experience we have a case where a perfectly drilled army—that is, an army drilled in target practice—was engaged in the battle of New Orleans, and 2,600 men engaged in that battle in resisting the attack of Pakenham's forces killed or wounded nearly 2,600 men. The first rank fired but three times; the second rank but twice. Every two and one-half shots produced a result. Those men were marksmen; they were drilled; they were men who could shoot the eye of a squirrel when he was in the top of a tree. They had learned their business. I think we can develop the efficiency of our troops by bringing into prominence this matter of target practice, striving to secure emulation among the men so that they will be what a great majority of men might be with practice.

Mr. CANNON. Mr. Chairman, in the presence of a unanimous Committee on Military Affairs, who believe this legislation ought to be had, and in view of the remarks of the gentleman from Iowa [Mr. HEPBURN], who heartily agrees with the committee, and who has had some practical knowledge about this matter, I will say that while the provision is clearly subject to a point of order, I think it behooves me, as I have but very little practical knowledge in the premises, not to insist on the point of order.

The CHAIRMAN. The point of order being withdrawn, the Clerk will resume the reading of the bill.

The Clerk read as follows:

Engineer battalion, \$32,116.

Mr. HULL. In that paragraph there is a typographical error. The word "battalion" should be "battalions." I ask that the "s" be inserted.

The CHAIRMAN. Without objection, the correction indicated by the gentleman will be made by the Clerk.

There was no objection.

The Clerk read as follows:

Additional pay for length of service, \$13,080.

Mr. HEPBURN. I move to amend by inserting after the paragraph just read the provision which I send to the Clerk.

The Clerk read as follows:

Provided, There shall be added to the Signal Corps of the Army, as now authorized by law, 1 colonel, 2 lieutenant-colonels, 4 majors, 8 captains, 8 first lieutenants: *Provided further*, That the vacancies thus created or caused shall be filled, first by the promotion of officers of the Signal Corps, according to seniority, and thereafter by detail from the line of the Army in accordance with existing law.

Mr. HAY. I rise to make a point of order against this amendment.

Mr. HEPBURN. I hope the gentleman will not make the point of order.

Mr. HAY. Well, I reserve the point.

The CHAIRMAN. The point of order will be reserved.

Mr. HEPBURN. Mr. Chairman, it will be observed that this amendment does not add any commissioned officers to the Army. The vacancies which will exist, should this provision become a law, will be filled, first, by promotion from the Signal Corps, and, secondly, by detail from the line. The only additional expense will be the greater compensation of one colonel, two lieutenant-colonels, and four majors, as compared with the compensation of a corresponding number of captains.

Now, there is a necessity for this increase. It grows out of the disproportion that now exists in this corps between the officers of the grade of field officers and those of the grade of line officers. In the Adjutant-General's corps all of the officers are above the grade of captain. The same is true in the Inspector-General's Office and in the Judge-Advocate-General's Office. In the Quartermaster's Department the percentage of field officers to total strength is 36.8; in the Subsistence Department, 37.2; in the Medical Department, 25; in the Pay Department, 51.9; in the Corps of Engineers, 30.8; in the Ordnance Department, 30.1; in the Signal Corps, 18.3.

If this addition should be made, the proportion of field to other officers would still be less in this corps than in any other. The present deficit places them at a disadvantage in all of the departments where the corps is represented on the general staff, and it ought not to be for that reason. Besides, there is a constant demand for the service of these officers, a constantly growing demand. This is becoming the scientific corps of the Army. Not only that, but with the new armament that we have, with the difficulty and impossibility of the use of cavalry, these officers are becoming the eyes of the Army. They are the means of information, they are the means of carrying and disseminating information, and this corps is rapidly becoming one of the most important in the Army. Therefore, as there is no opportunity of getting this in any other way, and as it is asked for and approved, as I am told, by the Secretary of War—certainly by the Chief Signal Officer—and as it is approved by the chairman of the committee and by other members of the committee with whom I have conferred, I do hope that my friend will not insist upon his objection and will allow us to have a vote on the matter.

Mr. HULL. Mr. Chairman, I want to say but one word or two. I understand the gentleman from Virginia reserves his point of order. The House, when it passed the reorganization bill, gave the Signal Corps almost what is proposed by this amendment, though not quite. The Senate reduced it to the point at which it stands in the law now. I want to say that a few days ago, when I learned that my colleague proposed to offer an amendment increasing the Signal Corps, I called on the Secretary of War and talked with him in regard to the matter, and while I did not know the number which was proposed, and that was not definitely talked over, he stated that he had become convinced that there should be an increase in the officers assigned to the Signal Corps. It is a matter that the committee has not investigated, except as it investigated it under the old reorganization act. That gave, I think, two lieutenant-colonels, as proposed by the gentleman from Iowa [Mr. HEPBURN] at this time. It gave an increase of majors, as proposed now, but I think not quite so many. I do not recall just what it was.

Mr. HEPBURN. If the gentleman will permit me, my recollection is that the only difference is that here there is a provision for an additional colonel.

Mr. HULL. With the same number of majors?

Mr. HEPBURN. I think that is so.

Mr. HULL. Be that as it may, I have no doubt in my mind but that the work the Signal Corps is performing, the amount of duties that devolve upon it, and the large scope of country they are serving in all cry out for an increase in this corps. I know that one gentleman with whom I am acquainted has been in the Philippine Islands and Cuba constantly since our Army landed in Cuba. The reason is that he could not be returned home because there were no officers to take his place.

Mr. HAY. I would like to ask the gentleman a question. Is it not a fact that General Greely, the general of the Signal Corps, was before the Committee on Military Affairs and did not ask for any increase?

Mr. HULL. Yes; that is my recollection, but he was not interrogated.

Mr. HAY. Well, my experience is that one does not have to interrogate these gentlemen in order for them to ask for something.

Mr. HEPBURN. If the gentleman will refer to General Greely's report, he will find that substantially this amendment is asked for.

Mr. HULL. And I think, if the gentleman will remember, General Greely, when the question of the number of Signal Corps was before the committee, was very urgent that we should not agree to the Senate amendment.

Mr. HEPBURN. I hope the gentleman will let us have a vote upon it.

Mr. HAY. Mr. Chairman, I do not wish to appear in the rôle of interfering in a matter of this sort, but the Committee on Military Affairs had General Greeley before it and he never asked for anything of the sort. The gentleman from Iowa [Mr. HEPBURN] says that it does not increase the officers in the Army. I do not so understand his amendment. It does increase the officers in the Army, and the Army is already topheavy with officers.

Mr. HEPBURN. Will the gentleman permit me to read a portion of the amendment which he undoubtedly did not hear?

Provided further, That the vacancies thus created or caused shall be filled, first by promotion of officers of the Signal Corps according to seniority and thereafter by details from the line of the Army, in accordance with existing law.

Mr. HAY. To what vacancies does the gentleman refer?

Mr. HEPBURN. As these men are pushed up there will be vacancies below, first lieutenants, that will be detailed from the Army.

Mr. HAY. Of course, but the first—

Mr. HEPBURN. I want to call the gentleman's attention, if he will allow me, to the fact that there is scarcely a possibility of the promotion of these gentlemen who are now captains and lieutenants in the Signal Corps. One gentleman who stands, I think, ninth or tenth, will not be promoted in the ordinary course of matters until 1926. He will have had to serve as a captain twenty-eight years before he is promoted. I submit that that is not fair, that that is not the incentive that ought to be held out to men, and I hope that the gentleman will allow this amendment.

Mr. HAY. I want to know where the officers are to come from who are to be added to the Signal Corps at once by the amendment of the gentleman.

Mr. HEPBURN. There are three officers to a company, say, of infantry. There will be some vacancies. They are not vacancies to be filled by appointment, but vacancies in the immediate discharge of duties there. There will be details, as details are now made.

Mr. HAY. You provide for the immediate appointment of colonels, majors, and captains to the Signal Corps. Where are they coming from, unless they are appointed?

Mr. HEPBURN. They will come from the line, as this provides.

Mr. HAY. Very well. Who takes the places of these officers of the line?

Mr. HEPBURN. Their places will not be filled.

Mr. HAY. It just shows that we can not consider sensibly in the Committee of the Whole an amendment of that sort, and therefore I must insist—

Mr. STEELE. I hope the gentleman will allow me to say one word.

The CHAIRMAN. Does the gentleman from Virginia yield?

Mr. HAY. Yes.

Mr. STEELE. If you will allow the adding of the words—

Provided, That this shall not increase the number of officers in the Army,

It will certainly not do so. There are a great many officers serving at these large posts who can be spared for temporary details. Therefore, in order to increase the number of officers in the Signal Corps you would only decrease the number in the line.

Mr. HULL. Mr. Chairman, if the gentleman will yield—

Mr. SLAYDEN. I will ask the gentleman if it is not a fact—

The CHAIRMAN. Does the gentleman from Iowa yield to the gentleman from Texas?

Mr. HULL. Oh, yes.

Mr. SLAYDEN. Is it not a fact that the net result of the amendment if adopted will be to increase the number of commissioned officers in the Army?

Mr. HULL. Mr. Chairman, under the general law, when an officer is detailed, his place in the line is filled from the lower grades. Others are promoted, and it increases the number of second lieutenants.

Mr. HEPBURN. If there is any doubt about this, I am willing to modify the amendment so as to make it certain.

Mr. HAY. I will withdraw the point of order if the gentleman from Iowa will add to the provision that there shall be no increase in the officers, either of the line or staff of the Army.

Mr. HEPBURN. Certainly.

Mr. HULL. If the gentleman does that he ought to strike out the part referring to the detail as now provided by law.

Mr. HEPBURN. No; I think not.

Mr. HULL. Just strike out the words "as now provided by law" and fill by detail only, for the reason that the law now provides that when an officer is detailed to the staff, the officers of the line are promoted up, and a new officer is put in, until the same number of men are serving as before. As they come back and forth after they are once detailed, the number of second lieutenants is not decreased, and, as things are now, there must, in the nature of things, be some increase whenever an officer of the line is detailed to the staff corps.

Mr. HEPBURN. Mr. Chairman, I move to strike out the words in the amendment offered by me, "in accordance with existing law," and add, "*Provided further*, That no addition to the number of officers in the Army shall be created by the foregoing provision."

The CHAIRMAN. Without objection, the modification will be made.

There was no objection.

The CHAIRMAN. The question is on agreeing to the amendment submitted by the gentleman from Iowa.

The question was taken; and the amendment was agreed to.

Mr. HULL. Now, Mr. Chairman, I ask unanimous consent of the House that the amendment just adopted may be inserted after line 23, on page 12; and I do that for the reason, at the place inserted here (I did not want to raise that question at the time when the amendment was offered), we are legislating for the enlisted corps of the Army, while on page 12 we are legislating for the officers of the Signal Corps of the Army.

Mr. HEPBURN. I certainly have no objection to that on my part.

The CHAIRMAN. Without objection the amendment will be inserted as suggested by the gentleman from Iowa, after line 23, page 12.

There was no objection.

The Clerk read as follows:

RETIRED OFFICERS.

For pay of officers on the retired list and for officers who may be placed thereon during the current year, \$1,000,700.

Mr. HULL. Mr. Chairman, there is an error of the printer there or an error in making up the bill. That should be \$700,000.

The CHAIRMAN. Without objection the Clerk will make the correction.

There was no objection.

Mr. GAINES of Tennessee. Mr. Chairman, I would like to ask the gentleman from Iowa how many retired officers have we?

Mr. HULL. I have not counted them up lately. This appropriation is simply for those who are there, who are on the retired list by law, and all that we do when the Department furnishes the estimate for the amount, is to appropriate the amount.

Mr. GAINES of Tennessee. Will the gentleman inform me how many were on the retired list when he was last informed?

Mr. HULL. I have not kept track of the retired list, but assume them to be there, and when the Department says that this is the number, we cut the amount some thousand dollars, with the idea that some will die. Of course there is no certainty that they will, and there may be a deficiency in this item.

The Clerk read as follows:

For pay of forty-two veterinarians, at \$1,500, \$63,000.

Mr. GAINES of Tennessee. Mr. Chairman, I would like to ask the gentleman from Iowa, or my colleague on my left, if we had 42 veterinarians during the recent war. In other words, has the number been diminished now that we have peace?

Mr. HULL. This is the number provided for in the reorganization bill, and all of them are employed. They have two with each regiment of cavalry and a certain number with the artillery, and it is the number provided for by existing law.

Mr. GAINES of Tennessee. Well, does it require as many veterinarians now when our Army is about 59,000, when we have peace, as it did when it was 100,000 and in active operation?

Mr. HULL. We have not reduced the number of regiments of cavalry or batteries of artillery.

Mr. GAINES of Tennessee. As you reduce the number of cavalry you would reduce the number of horses, would you not?

Mr. HULL. We do not reduce the number of regiments, companies, or posts.

The Clerk read as follows:

For expenses of courts-martial, courts of inquiry, and compensation of reporters and witnesses attending the same, \$20,000.

Mr. HULL. Mr. Chairman, there is another amendment, left out by inadvertence, that is in the law heretofore and should be now. Insert after the word "inquiry," line 20, the words "military commissions;" so that it will read: "For expenses of courts-martial, courts of inquiry, military commissions, etc."

The Clerk read as follows:

In line 20, page 14, after "inquiry," insert "military commissions."

The amendment was agreed to.

The Clerk read as follows:

For additional pay to officer in charge of public buildings and grounds at Washington, D. C., \$1,000.

Mr. LITTLE. Mr. Chairman, I would like to inquire what rank this officer held?

Mr. HULL. I think he is a captain in the Regular Army.

Mr. LITTLE. My understanding has always been when they go to fight they were given more pay than when they were put to civilian employment.

Mr. HULL. The gentleman does not understand this question at all.

Mr. LITTLE. That is the reason why I ask for information.

Mr. HULL. For the Superintendent of Public Buildings and Grounds it was provided by a law passed a great many years ago that while so serving he should have the rank and pay of a colonel.

Mr. LITTLE. That is the existing law?

Mr. HULL. That is the existing law, and has been for a great many years. This simply covers the difference in pay between the real rank and the rank of colonel; and if he were a major it would not require this amount.

Mr. LITTLE. I simply wanted an explanation, for information.

Mr. HULL. Since I have been in Congress there has only been one bill passed where there was no provision of this kind, and that was while Colonel Wilson, of the Engineer Corps, was Superintendent of Public Buildings and Grounds, and while so serving he became a colonel and this was left out.

Mr. LITTLE. This has been the current bill?

Mr. HULL. Certainly. It is the law.

The Clerk proceeded with the reading of the bill, and read as follows:

PHILIPPINE SCOUTS.

Fifty first lieutenants, \$80,000.

Fifty second lieutenants \$75,000.

Mr. GAINES of Tennessee. Mr. Chairman, will the gentleman from Iowa please tell us if these Philippine scouts cooperate with our army in the Philippine Islands, or what connection they have with our Army? Are they a part of the army sent from the United States, or are these scouts natives?

Mr. HULL. The enlisted force are natives, but the officers are not. The law provides that all the field officers shall come from the Regular Army by assignment, the captains from the Regular Army, but the first and second lieutenants may come from the Regular Army or from civil life.

Mr. GAINES of Tennessee. How many scouts are there?

Mr. HULL. About 5,000.

Mr. GAINES of Tennessee. How large is the army that it is intended to keep in the Philippine Islands?

Mr. HULL. All I know about that is what the gentleman himself knows.

Mr. GAINES of Tennessee. It is about 23,000, says Mr. Secretary Root in his last report, if I remember correctly.

Mr. HULL. I think they are going to reduce it below that. I will say to the gentleman, however, that that is a question which may be agreed upon to-day and changed to-morrow. It is at the discretion of the President at all times.

Mr. GAINES of Tennessee. How much does it cost to maintain a soldier in the Philippine Islands, and how much in the United States?

Mr. HULL. That is a question that I have not figured out. With the scouts it would cost less than in this country. With the soldiers it is more, because we pay them 20 per cent more than if they served in this country. So it would cost 20 per cent more, besides the freight for taking his supplies over there from this country.

Mr. GAINES of Tennessee. Why I asked the question, Mr. Chairman, is because the last information I had was from General Breckinridge's report of last year. He stated that it cost \$1,285 a year for every soldier to maintain and equip him, exclusive of armament. I was informed a few days ago by the gentleman from Virginia [Mr. HAY] that there was an increased amount paid the soldier in the Philippine Islands, making the cost per soldier with equipment about \$1,500 a year. I wanted to get at the exact facts if I can.

Mr. HULL. The only way the gentleman can do that is to call upon the War Department and have their best mathematicians figure it out.

The Clerk proceeded with the reading of the bill, and read as follows:

Hereafter, in all payments to be made under the provisions of Army appropriation acts, when the rate of compensation is annual payment, shall be made monthly at the rate of one-twelfth of the annual rate, and of such monthly rate and of all other monthly rates of compensation one-thirtieth shall be the daily rate for computation of pay for fractional parts of a month; and for the purposes of this act each and every month shall be held to consist of thirty days, whether the actual number of days be greater or less.

Mr. CANNON. Mr. Chairman, reserving the point of order on that paragraph, I want to ask the gentleman from Iowa wherein it changes existing law.

Mr. HULL. Mr. Chairman, the Army pay tables for almost fifty years have been in exact compliance with this provision in the bill. It has passed the Treasury during all these years without a question being raised. It is entirely satisfactory to the Army, both the officers and the men, but the present Comptroller of the Treasury holds that, in the absence of law specifically stated, this method of computation can not be allowed; that they must

change the method of payment and pay only for the actual days, regardless of thirty days in the month.

In other words, for February they could only pay for twenty-eight days and for March they must pay for thirty-one days. It changes the entire computation tables of the War Department. It makes a difference in the method of paying the Army which has prevailed for more than fifty years and simply enacts into law a measure that will enable them to pay as they have all of these past years.

Mr. CANNON. The difference being that without this proposed legislation they get paid for three hundred and sixty-five days a year. With this the pay is for three hundred and sixty days for the year, and then the five days are paid besides.

Mr. HULL. My understanding of this is that they are paid so much a month of thirty days. The year is divided into twelve equal parts. If a man serves a year he gets exactly the same pay as he would by the other method.

Mr. CANNON. How are the men in the Navy paid and the people in civil life?

Mr. HULL. I understand the commercial law is largely like this provision of thirty days to the month. We pay so much a month where you pay a yearly salary. It is one-twelfth of the salary every month, same as is the case with members of Congress.

Mr. CANNON. This legislation, as I understand, is in harmony with the practice of the Government for a half century.

Mr. HULL. Yes; it is exactly in harmony with the way members of Congress are paid. Now, Mr. Chairman, I move to strike out the comma in line 1, page 17, after the word "payment," and insert it after the word "annual."

The CHAIRMAN. The gentleman from Iowa moves to amend, and the Clerk will read the amendment.

The Clerk read as follows:

Strike out the comma after the word "payment" and insert it after the word "annual."

The amendment was agreed to.

The Clerk read as follows:

That section 37 of the act of February 2, 1901, entitled "An act to increase the efficiency of the permanent military establishment of the United States," is hereby repealed, and the Secretary of War is directed to muster out the Porto Rico Provisional Regiment of Infantry of the United States service on or before July 1, 1903: *Provided*, That the officers and enlisted men of the Porto Rico Provisional Regiment of Infantry shall, upon being mustered out, be paid two months' extra pay, to be paid out of the appropriation for pay of the Army: *Provided further*, That officers of the Regular Army serving with the Porto Rico Provisional Regiment of Infantry when mustered out of said regiment shall return to their lineal rank in the Regular Army and shall be paid for service with said regiment only for time actually in such service.

Mr. COWHERD. I want to reserve a point of order on that paragraph.

The CHAIRMAN. The gentleman from Missouri [Mr. Cowherd] reserves a point of order against the paragraph.

Mr. HULL. I want to say to the gentleman from Missouri—

Mr. COWHERD. Permit me to say that I reserve this point simply because I want to get some information.

Mr. HULL. The law creating this regiment provided that it should be retained in service until such time as Congress might take further action. It was not regarded as a permanent part of the military establishment. We have now reached the time when all authorities seem to agree that this regiment is no longer needed. It is maintained at the expense of the Government, but has absolutely nothing to do.

The coast defense or batteries there furnish a certain number of artillery; but the evidence before the committee, as submitted by the Secretary of War, was to the effect that without any United States soldiers peace could be maintained, good order preserved, and property and lives be protected by the civil authorities of Porto Rico alone. Therefore the committee struck out the appropriation for this regiment and inserted this provision, so that we might not have the anomaly of continuing this organization without providing for its pay.

Mr. COWHERD. Then, if I understand the gentleman, this will simply reduce the appropriation by that much, and reduce the Army to a corresponding extent.

Mr. HULL. It reduces the Army by this much, and reduces correspondingly the appropriation.

Mr. COWHERD. I should like to have read at the desk a paper which has been submitted to me upon this proposition. It is quite short.

The CHAIRMAN. The paper sent to the desk by the gentleman from Missouri will be read, if there be no objection.

There was no objection.

The Clerk read as follows:

Troops must always be kept in the island, and the Porto Rico regiment is by far the cheapest and most desirable. It can be sustained far more cheaply than a regiment of Americans, because the men do not draw "foreign-service pay."

It is composed of Porto Ricans of the middle class, the most loyal of all to the United States Government. It is efficient—highly so—as every inspector

has said for three years. The men are proud of the service, of the uniform, and the regiment.

They believe themselves to be a part of the Government, paid by it, and entrusted with the protection of the homes of their kindred against internal danger or possible foreign invasion. There has been more real, honest, loyalty bred in Porto Rico by the influence of the soldiers of the regiment than by all other causes combined. The people look upon the regiment as their own, and are loyal to the Government which garrisons their towns with their own sons instead of sending down regiments of another race.

The men are being given systematic daily instruction in the English language, and through them the knowledge and influence of the tongue is being spread over the island. They are being trained to fit them for duties of importance in their communities when they shall retire from the service. They are acquiring executive ability, "of which there is a woeful lack among the people," and will be able to render valuable service in civil life in positions requiring knowledge of the control of men and the best method of carrying on public work.

As a strong binding link between the common people of Porto Rico and the Government of the United States and as a public educator, the regiment is worth twice its cost. With a population in Porto Rico of 1,000,000 people, of mixed races upon a small tropical island, considerably more than one-half illiterate, ignorant, and barely self-sustaining, the actually vicious and dangerous element is naturally very large.

The excitable and revengeful disposition of the mixed Latin races makes it almost certain that under unusual excitement, or when large numbers of people are unemployed and ill fed, riots and dangerous disturbances are bound to occur. The American property interests are large and constantly growing, and are of the very kind that would suffer most severely in case of riots.

The insular police force, as it is now organized and must continue to remain, can not be depended on to cope with even a moderate emergency. Its officers are natives, untrained in the command and instruction of large bodies of men. The force is, and must be, so widely scattered that there is no chance for systematic and continued instruction in the use of firearms or even the rudiments of drill which must be used to meet a great emergency.

Under the circumstances, a state of discipline and efficiency can not be secured to make it possible for the officers to control their men and so direct their efforts as to make their service of proper effect if they had to be united in one organization for offensive or defensive purpose. Organized under political auspices, appointed by a political board, owing its existence to political support, it must always be an ally to the party in power.

The Government must always maintain an artillery force to garrison the fortifications, but under no circumstances could the men be withdrawn from the forts for the protection of property or life in the interior. The American business interests will always require and demand the presence of troops available for duty in case of trouble.

Mr. COWHERD. I want simply to say—

The CHAIRMAN. Does the gentleman withdraw the point of order?

Mr. COWHERD. I withdraw it, but wish to say just one word. It has seemed to me that if we were going into the question of holding these island possessions according to the English custom, we could do nothing better than raise armies according to that custom, from the natives, in order to instill some kind of loyalty into those people. But I do not pretend to put my knowledge of the situation down there against that of the Committee on Military Affairs, if they think this regiment unnecessary.

Mr. HULL. There is no objection to such a regiment being recruited as part of the Army, but to support this regiment there as has been done is an utterly uncalled-for expense to the Government. As soon as the Committee of the Whole resumes its session, after rising informally to receive a message from the Senate, I will offer an amendment which I think will meet the gentleman's views.

Mr. COWHERD. I withdraw the point of order.

Mr. HULL. I move that the committee rise.

The motion was agreed to.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. BOUTELL reported that the Committee of the Whole House on the state of the Union had had under consideration the bill (H. R. 16567) making appropriations for the support of the Army for the fiscal year ending June 30, 1904, and had come to no resolution thereon.

REBATE OF DUTY ON COAL.

A message from the Senate, by Mr. PARKINSON, its reading clerk, announced that the Senate had passed with amendments the bill (H. R. 16649) to provide rebate of duties on coal in which the concurrence of the House was requested.

Mr. PAYNE. I ask unanimous consent that this amendment of the Senate be concurred in.

Mr. RICHARDSON of Tennessee. We would like to have the amendment read, so that we may know what it is.

The SPEAKER. Undoubtedly; the Chair would not submit the amendment without its being read.

Mr. RICHARDSON of Tennessee. But I did not hear any request that it be read.

The SPEAKER. The Chair will submit the request of the gentleman from New York. The gentleman asks unanimous consent to take up the amendment of the Senate to what is known as the "coal bill," for the purpose of moving concurrence in the amendment which the Clerk will read.

The Clerk read as follows:

Amendment to House bill (H. R. 16649) to provide rebate of duties on coal. After line 7 insert:

"SEC. 2. That the provisions of paragraph 415 of the tariff act of July 24, 1897, shall not hereafter be construed to authorize the imposition of any duty upon anthracite coal."

Amend the title so as to read: "An act to provide rebate of duties on coal, and for other purposes."

[Applause.]

The SPEAKER. As the Chair is advised, the request of the gentleman from New York [Mr. PAYNE] was to take up this amendment and concur in it.

Mr. PAYNE. That was the request.

The SPEAKER. Is there objection?

Mr. RICHARDSON of Tennessee. I only want to say that I think the gentleman ought to have accorded to this side of the House the right to make that request. There is no objection on this side. [Renewed applause.]

The SPEAKER. In the absence of objection, the amendment of the Senate is concurred in.

On motion of Mr. PAYNE, a motion to reconsider the vote by which the amendment was concurred in was laid on the table.

ARMY APPROPRIATION BILL.

On motion of Mr. HULL, the House again resolved itself into Committee of the Whole on the state of the Union (Mr. BOUTELL in the chair) and resumed the consideration of the Army appropriation bill.

Mr. HULL. Mr. Chairman, in order to get it in the RECORD, I ask unanimous consent that the Clerk read, in my time, Exhibit B, to be found in the report of the committee.

The CHAIRMAN. The gentleman from Iowa asks unanimous consent to have read the statement which is sent to the Clerk's desk. Without objection, the Clerk will read.

There was no objection.

The Clerk read as follows:

WAR DEPARTMENT, Washington, January 2, 1903.

SIR: In my annual report of the operations of the War Department for the year of 1902 I remarked as follows concerning the organization known as the Porto Rico provisional regiment:

"PORTO RICO REGIMENT.

"The act of February 2, 1901, provides that the Porto Rico regiment shall be continued in service until further directed by Congress. I recommend that the discontinuance of that regiment be now directed, and that at the same time the right of enlistment in the Regular Army be extended to citizens of Porto Rico. There is no longer occasion for maintaining a special and peculiar force in the island at the expense of the United States outside of the coast-defense fortifications. Under the prosperous conditions which have followed the very liberal treatment of the island by the United States, the insular government is well able to support a police force adequate to preserve internal peace and order, and there is no more reason for maintaining a special United States force in addition to the Regular Army to protect Porto Rico against external attack than there is to maintain such a force to protect any part of our territory on the Atlantic coast. The people of Porto Rico should, however, have an opportunity to share in the general defense of the Government to which they owe allegiance and of the institutions which they enjoy."

I have now the honor to invite your attention to the foregoing remarks and recommendations, to which nothing can be added in the way of argument, and, as it is in the interest of economy, resulting in large saving, I request that provision for the discharge of this regiment be embodied in the appropriation bill now before Congress for the support of the Army for the year 1903-4, and be disposed of at this session of Congress.

In mustering out and disbanding the volunteer regiments organized for the war with Spain, leaves of absence for the officers and furloughs for the enlisted men were given by the Department for periods of one and two months, and Congress, in act of January 12, 1899, granted in lieu of leaves of absence and furloughs two months' extra pay to volunteer organizations thereafter mustered out of the service who served beyond the limits of the United States. I think a similar gratuity should be given to the Porto Rico regiment, and I so recommend.

Very respectfully,

ELIHU ROOT,

Secretary of War.

The CHAIRMAN COMMITTEE ON MILITARY AFFAIRS,
House of Representatives.

Mr. PERKINS. Mr. Chairman, I send an amendment to the desk, which I will ask to have read.

The Clerk read as follows:

After line 2, page 17, insert the following:

"Provided further, That the Secretary of War is authorized to appoint officers of the said regiments to corresponding positions in the Regular Army, if, in his judgment, the public service requires."

Mr. PERKINS. Mr. Chairman, I would say, in addition to what was said by the gentleman from Missouri [Mr. COWHERD], that I have received several letters from people living in Porto Rico questioning the wisdom of the measure abolishing the Porto Rican regiments; but, Mr. Chairman, I have no desire to oppose the judgment of the Secretary of War and of the Committee on Military Affairs. It seems, however, Mr. Chairman, that here are a number of officers who have served in the Porto Rican regiments who are not members of the Regular Army. If they are qualified officers, if they have given good service, why should not the Secretary of War be authorized—I do not ask that he be directed—but why should he not be authorized to use those officers for appointment in the Regular Army? That is the object of the amendment, and the only object.

Mr. HULL. Mr. Chairman, it seems to me that this is exceedingly bad legislation. I doubt very much, if the amendment is passed, if the Secretary of War would act under it in any case whatever.

Mr. PERKINS. He is not obliged to.

Mr. HULL. This is the proposition, as I understand the amendment as read from the desk: Here are men who have been taken from subordinate positions in the Regular Army to fill what were known when they accepted the places as high positions, as a temporary regiment. By this legislation we particularly say to the Secretary of War and to the people that we are in favor now of continuing these men in the higher offices that they have been filling, as permanent places in the Regular Army.

As a matter of fact, every captain in the Regular Army was willing and anxious to be the colonel of a provisional regiment, whoever may be the man that secured the position, and he secured it because, I suppose, he convinced the Secretary of War that he was the best man of his rank for that assignment. But every member of this committee will certainly recognize that it would be outrageously unfair to say to the Secretary of War that in the judgment of Congress these men might be appointed as colonels in the Regular Army in the permanent regiments, going over the heads of men of permanent rank in the line of the Army who may have served two or three times as long as they and be of higher rank than they.

There is a provision now of the general law that all these officers selected from the Regular Army for this temporary duty shall go back to their regular places in the line of the Army when this regiment shall be mustered out. They have had the advantage of additional rank, additional pay, and additional emolument by this service, something that was a favor to them, and now this amendment would say that Congress believes the favor should be made a permanent benefit. I can see where there is some reason in the gentleman's amendment, when applied to those officers who come in from civil life, if it were necessary to enable them to become second lieutenants. But it is not necessary.

Mr. PERKINS. That is what I said it applied to.

Mr. HULL. There are some of those; but under the present law they could be ordered up for examination, and hardly a month passes that opening would not be had for them to be appointed as second lieutenants in the regular establishment. They are eligible for that now. To provide higher rank for them would be unjust to every man now in the Regular Army.

Mr. PERKINS. Mr. Chairman, just a moment in reply. The object of my amendment was somewhat misunderstood, probably because I am not sufficiently familiar with the practice to draw it properly. I understood from the bill that the officers in the Porto Rican regiments who are now officers in the Regular Army would be returned to the service in the Regular Army. Such is the provision of the bill. I intended to cover the case, Mr. Chairman, as here suggested by my friend from Iowa, of the officers of the Porto Rican regiments who are not officers of the Regular Army at all, and for whom there is no provision in this bill.

It seems to me just, Mr. Chairman, that those who are not in the Regular Army, but who have served satisfactorily in the Porto Rican regiment, should be eligible to appointment in the Regular Army, and should not be thrown out of military service by reason of the disbandment of the Porto Rican regiment.

Mr. HULL. Mr. Chairman, that same thing applied to every one of our volunteer regiments, and applied with particular force to every one of our 30 provisional regiments that had actual service in the Philippines; and yet we made no such provision for them. They came in under the general law, and many of them have been appointed to lieutenantcies in the Regular Army, as these men can be appointed to lieutenantcies in the Regular Army.

Mr. PERKINS. Mr. Chairman, if there is no objection, I would ask to amend my amendment by striking out the word "corresponding," so that they shall be eligible to appointment in the Regular Army, but not to corresponding positions.

The CHAIRMAN. Without objection, the Clerk will make that amendment to the proposed amendment.

Mr. GILLET of Massachusetts. Is not that the law now?

Mr. PERKINS. If it is, it will do no harm.

Mr. CRUMPACKER. According to my understanding of the law as it is now, these officers of the provisional Porto Rican regiment who are natives of Porto Rico would not be eligible to appointment.

Mr. HULL. There are no natives who are officers, I think.

Mr. CAPRON. No; none but noncommissioned officers.

Mr. CRUMPACKER. The commissioned officers are citizens of the United States.

Mr. HULL. All I think, are citizens of the United States.

Mr. CRUMPACKER. Then I misapprehended the fact.

Mr. PERKINS. They are officers of the regiment, but not officers of the Regular Army.

Mr. CRUMPACKER. And in addition to that, the privates in the Porto Rican regiment are not eligible to enlistment in the Regular Army.

Mr. HULL. The Secretary of War recommends that they be allowed to enlist in the Regular Army.

Mr. CRUMPACKER. Since the gentleman has entered upon

the field of legislation upon this subject, why did he not incorporate that provision in this bill?

Mr. HULL. The only reason was that it was a doubtful question as to whether any of the Porto Ricans would be willing to enlist to go out of the country; and there is a question in my mind whether it is not true, if they are a part of the citizenship of the United States, they can not now enlist in the Regular Army from the Territories here as well as from the States, whether they can not enlist as it is. The gentleman is a better lawyer than I am, and he can tell.

Mr. CRUMPACKER. According to the law as interpreted by the Supreme Court, if I understand the interpretation, they are not citizens of the United States, while the inhabitants of the Territories are, and therefore the inhabitants of the Territories are eligible to enlistment in the Regular Army. It seems to me that it would show some deference to these people and give them at least that privilege, even though it would never be exercised; and it occurs to me that the suggestion of the Secretary of War ought to have been embodied in this measure.

Mr. HULL. A proviso added to this, that natives of Porto Rico may be enlisted in the Regular Army, will cover that. I have no objection to it. We will have to dispose of the pending amendment first.

Mr. PERKINS. I should like to ask the chairman of the committee what objection there is to a provision which should authorize the Secretary of War to take a citizen of this country who has been an officer of the Porto Rican regiment, but who is not an officer of the Regular Army, and appoint him an officer of the Regular Army?

Mr. HULL. I would say that unless it was limited to second lieutenants I should object to it, because it will throw the burden on the War Department and start a war on all of us to go there and get some man a good office. In my judgment it is bad legislation. Now, if you limit it to that, the Secretary of War has the same power now to appoint these men second lieutenants, if they can pass the examination, that he had to appoint the men who served during two years of actual hostilities in the Philippines who were volunteers of the provisional regiments. They were appointed by the President. They were in what were known as two-year regiments. These men went into regiments known to be temporary. Why should we turn around now and legislate specifically on that, when under the general law, if they can pass the examination these other officers have had to pass, they can be appointed?

Mr. PERKINS. We do not legislate specifically, but merely authorize the Secretary of War in his discretion, if in his judgment the public service will be promoted, to appoint them.

[Here the hammer fell.]

Mr. HULL. I call for a vote.

The amendment was rejected.

Mr. CRUMPACKER. Mr. Chairman, I have an amendment to offer.

The CHAIRMAN. The gentleman from Indiana offers an amendment, which the Clerk will report.

The Clerk read as follows:

Insert at the end of line 23, page 17, the following:

"Provided further, That citizens of the island of Porto Rico shall be eligible to enlistment in the Regular Army."

Mr. HULL. There is no objection to that that I know of.

The amendment was agreed to.

The Clerk read as follows:

Incidental expenses: Postage; cost of telegrams on official business received and sent by officers of the Army; extra pay to soldiers employed on extra duty, under the direction of the Quartermaster's Department, in the erection of barracks, quarters, and storehouses, in the construction of roads and other constant labor for periods of not less than ten days, and as clerks for post quartermasters at military posts, and for prison overseers at posts designated by the War Department for the confinement of general prisoners; for expenses of express to and from frontier posts and armies in the field, of escorts to paymasters and other disbursing officers, and to trains where military escorts can not be furnished; expenses of the internment of officers killed in action or who die when on duty in the field, or at military posts, or on the frontiers, or when traveling under orders, and of noncommissioned officers and soldiers; and in all cases where such expenses would have been lawful claims against the Government reimbursement may be made of expenses heretofore or hereafter incurred by individuals of burial and transportation of remains of officers, including acting assistant surgeons, not to exceed the amount now allowed in the cases of officers, and for the reimbursement in the cases of enlisted men not exceeding the amount now allowed in their cases, may be paid out of the proper funds appropriated by this act, and the disbursing officers shall be credited with such reimbursements heretofore made; but hereafter no reimbursement shall be made of such expenses incurred prior to the 21st day of April, 1898; authorized office furniture; hire of laborers in the Quartermaster's Department, including the hire of interpreters, spies, or guides for the Army; compensation of clerks and other employees to the officers of the Quartermaster's Department, and incidental expenses of recruiting; for the apprehension, securing, and delivering of deserters, including escaped military prisoners, and the expenses incident to their pursuit; and no greater sum than \$50 for each deserter or escaped military prisoner shall, in the discretion of the Secretary of War, be paid to any civil officer or citizen for such services and expenses; for a donation of \$5 to each dishonorably discharged prisoner upon his release from confinement, under court-martial sentence, involving dishonorable discharge; for the following expenditures required for the several regiments of cavalry, the batteries of light artillery, and such companies of infantry and scouts as may be

mounted, the authorized number of officers' horses, and for the trains, to wit: Hire of veterinary surgeons, purchase of medicines for horses and mules, picket ropes, blacksmith's tools and materials, horseshoes and blacksmith's tools for the cavalry service, and for the shoeing of horses and mules, and such additional expenditures as are necessary and authorized by law in the movements and operations of the Army, and at military posts, and not expressly assigned to any other department, \$2,300,000.

Mr. LACEY. Mr. Chairman, I move to strike out the last word. I do this for the purpose of inquiring of the chairman of the committee as to what arrangements there are in this bill and what provision for the supplying of flagstuffs for the various fortifications of the Army where the same have been accidentally destroyed or destroyed by storm. In this connection I wish to say that the American flag is not flying from Fort Sumter. All the people of that vicinity rejoice to see that flag there now, and they ought to have an opportunity of seeing it, and the visitors to that fortification ought to have the same opportunity. That flagstaff has been destroyed by a cyclone and not replaced. It may be a sentimental matter, but there ought to be some provision for supplying deficiencies of that kind.

Mr. BARTLETT. It was accidental?

Mr. LACEY. Purely accidental.

Mr. HULL. It was purely accidental. It was destroyed by a storm. Flagstuffs at the different posts of the Army come under this appropriation, under the head of "incidentals." They can buy a new one any time it is called to the attention of the Department.

Mr. LACEY. I wish to call the attention of the Military Committee and the War Department to the fact; and while it is a matter of sentiment, it is one that all parts of the country rejoice in seeing given proper consideration at this time at that particular place.

Mr. McCLELLAN. Mr. Chairman, I move to strike out the last word for the purpose of asking a question. I should like to ask the chairman of the committee as to what is meant on page 23, line 18, by "spies," and how much of the appropriation could be used for the purpose of hiring spies, and whether the whole appropriation is to be used for that purpose?

Mr. HULL. No; it is one of the things for which appropriations have been made for forty years, and they are carried every year by the bill.

Mr. McCLELLAN. Carried every year by the bill?

Mr. HULL. Carried every year, and probably not one year in twenty any of it is used for that purpose.

Mr. McCLELLAN. Even in time of peace?

Mr. HULL. It is one of those provisions that have been in the bill for at least forty years, and it is carried along when there is no idea that any of them will be hired.

Mr. McCLELLAN. In time of peace?

Mr. HULL. At any time. If it should go out of the bill in time of war a point of order would be raised on the committee. [Laughter.]

The Clerk read as follows:

Barracks and quarters: For barracks and quarters for troops, storehouses for the safe-keeping of military stores, for offices, recruiting stations, and for the hire of buildings and grounds for summer cantonments, and for temporary buildings at frontier stations, for the construction of temporary buildings and stables, and for repairing public buildings at established posts, including the extra-duty pay of enlisted men employed on the same: *Provided*, That no part of the moneys so appropriated shall be paid for commutation of fuel or for quarters to officers or enlisted men: *Provided further*, That the number of and total sum paid for civilian employees in the Quartermaster's Department, including those paid from the funds appropriated for regular supplies, incidental expenses, barracks and quarters, Army transportation, clothing, camp and garrison equipage, shall be limited to the actual requirements of the service, and that no employee paid therefrom shall receive a salary of more than \$150 per month, except upon the approval of the Secretary of War, \$4,750,000; one-half of this amount to be immediately available.

Mr. CANNON. Mr. Chairman, I make the point of order on line 25, "one-half of this amount to be immediately available." It is in the nature of legislation first, and second it does not belong to a bill making provision for the service for the coming year. It is really for the service of the current year and belongs upon the deficiency appropriation bill.

Mr. HULL. Mr. Chairman, as to the point of order I very much doubt whether it is well taken. It is a direction in regard to an appropriation that to my mind can hardly be considered as new legislation to the extent of being obnoxious to the rule. I want to say to the gentleman from Illinois that this was put in at the request of the Department in conversations after the hearings had been had. On page 59 of the hearings General Ludington, in answer to a question of the chairman as to why it should be made immediately available, says:

I will try to explain that, which I think I can do to your satisfaction. As it stands now, we can not begin any construction work until the 1st day of July, and in that way we lose some of the best building months. We lose April, May, and June of each year. We can not start in July and complete the buildings before the next year. It will save the Government money if contractors can have the advantage of all the best building months to do their work.

It does not increase the amount asked for upon the hearings; and in my judgment, at the time when they are making every

effort possible in order to make enough buildings to completely furnish barracks and quarters for the enlarged army, and especially the Coast Artillery, if they can get the advantage of letting the contract when the bill becomes law and use part of the money in advance it will be a benefit to the Government in every way you may take it. Even if the point of order is good, I trust the gentleman will not insist upon it.

Mr. CANNON. I will say to my friend I shall insist upon it. Purely and simply, it does not lie in the mouth of the Secretary of War or the Quartermaster-General to dictate by an examination to the House of Representatives how it shall conduct its business. Now, the rule of the House provides for the creation of the committees. The gentleman is familiar with it. It creates the military committee. Clause 3, Rule XI:

3. To appropriation of the revenue for the support of the Government, as herein provided, viz: For legislative, executive, and judicial expenses; for sundry civil expenses; for fortifications and coast defenses; for the District of Columbia; for pensions; and for all deficiencies—to the Committee on Appropriations.

Now, then, this item legitimately appears under the title of barracks and quarters in the first instance, beginning as the bill does with this appropriation, but it goes further, it increases the appropriation and it is for the current year \$1,400,000. That is legitimate and the gentleman has, and his committee under the rules of the House have, the jurisdiction to report any amount that in the judgment of his committee should be so reported. But when it provides that one-half of this amount is to be immediately available it becomes in its very nature a deficiency appropriation. This bill provides for the expenses of the next year and provides over \$2,000,000 for the current year for barracks and quarters, and it is a deficiency, so that this bill becomes at once a deficiency bill, as well as a bill to provide for the expenses of the coming fiscal year.

Now, then, if it be necessary for the service that an additional appropriation should be made for barracks and quarters over the present item until and including the 30th of June next, let the Secretary of War in a formal way, as the law directs, through the Secretary of the Treasury, send the estimate and receive its proper reference under the rules of the House. The committee that prepares the deficiency bill for the consideration of the House would have jurisdiction of the subject-matter, and all matters of deficiency then appear upon one bill, as the rule of the House contemplates. If we go into this method of appropriation, mixing together the coming fiscal year and the current year, you do not know where to look for anything if you want to get accurate information. Therefore, while it may be necessary that provision should be made for the current year for this service, about which I express no opinion at all until it shall have been examined, it can be seen at once, for the reasons assigned, that an orderly conduct of the business would dictate that the various rules of the House should be observed. Otherwise you have things mixed and in a condition that breeds confusion, if not disorder.

Mr. CAPRON. Mr. Chairman, may I ask the gentleman a question?

Mr. CANNON. Certainly.

Mr. CAPRON. I would like to ask my friend if he considers it a deficiency when the plans and specifications have been prepared, and are pretty well completed, for barracks and quarters at the different coast-defense stations, as well as those for the troops returning from the foreign stations, and they have a certain amount appropriated for that purpose merely because they ask to be allowed to commence work on this in the month of May rather than to commence it on the 1st day of July? Is that a deficiency, or is it simply carrying out the work because the fiscal year does not adjust itself to the working year for this kind of construction?

Mr. CANNON. In reply to the gentleman from Rhode Island, I will say that a deficiency appropriation means, in the spirit of the rule, an additional appropriation for the current year. Now, the current year began on the 1st of July last and ends on the 30th of June next. Any appropriation for that service means a deficiency, if it is made during the current year. That is in the meaning of the rule. Now, then, the gentleman's statement whether it would be wise to begin on the 1st day of May or not is not important. I will say to him that it is quite in the power of the House, if the committee having jurisdiction to recommend a deficiency in the regular bill fails to do so, it is quite within the power of the House, on the motion of any member, to include the amount; and if the service requires this sum to be expended during the current year it can be done just as readily in a regular and orderly bill as it can be in this bill, and quite as soon. So there is no reason, from the standpoint of the public service, that I should withdraw the point of order, and there is every reason why I should insist on the point of order, so as to keep these bills separate, as the rule intended it should be.

Mr. HULL. I want to say to the gentleman from Illinois that neither the Secretary of War nor the Quartermaster-General undertook to dictate what we should do. The Quartermaster-General

presented the reasons why they would like the words put in. The Secretary of War said nothing about it.

Mr. CANNON. If my friend will allow me, I find on inquiry that no estimate for deficiency for additional money for barracks or quarters has been submitted.

Mr. HULL. If the gentleman had waited a minute, I was going to state that precise point. It is not a deficiency in any sense whatever, for the reason that no contract has been let for the work, and no attempt has been made to saddle on the Government a deficiency. They have gone within the appropriation made in the last bill, and the only object of these words was to enable them to let contracts a little sooner than they otherwise would. It does not increase the expense, and if it did, it would go to the gentleman's committee.

Mr. CANNON. Does it not provide money for the current year?

Mr. HULL. It provides that some of it may be used this fiscal year, and that has been done repeatedly in this House, with all due respect to the gentleman from Illinois.

Mr. CANNON. Never without a violation of the rules.

Mr. HULL. It may be that attention was not called to it.

The CHAIRMAN. The Chair is prepared to rule on the question.

Mr. HULL. Let the Chair rule.

The CHAIRMAN. The bill under consideration is the general annual Army appropriation bill for the fiscal year beginning July 1, 1903, and ending June 30, 1904. The general appropriation for the present fiscal year of 1903 was made in the bill last year. It seems to the Chair that any expenditure for the Army during the current year must necessarily be considered as an expenditure to make up deficiencies in the Army appropriation bill for the fiscal year 1903, or the current year. Any bill, therefore, whether this bill or any other measure providing for the appropriation of the sums so used, must be considered as a deficiency bill, and the appropriation itself, whether made in this measure or in a measure with another title, would be an appropriation to make good a deficiency—an amount not provided for in the Army appropriation bill for the current fiscal year. Being a deficiency appropriation, it should be included in a deficiency bill; and under clause 3 of Rule XI the deficiency bill would be a bill referred to and coming from the Committee on Appropriations. As it seems to the Chair that this is to make good a deficiency, the Chair is constrained to sustain the point of order.

Mr. HULL. I offer the amendment which I send to the desk.

The Clerk read as follows:

At the end of line 24, page 25, insert the following:

"Provided further, That the sum of \$6,000 of this appropriation, or so much thereof as may be necessary, may be used for the payment of any assessment against the property of the United States arsenal at Indianapolis, Ind., and the cost of appraisal of said reservation in connection with its sale."

Mr. CANNON. I feel constrained to make a point of order against this amendment.

Mr. HULL. I hope the gentleman will simply reserve the point. This is not from the committee.

Mr. CANNON. I will do so out of respect to my friend's request; but I will say to him that there is a whole troop—yes, more, a division—of similar claims running against almost every public building and reservation in the country.

Mr. HULL. Mr. Chairman, I fully understand that there are a large number of claims against the Government of the United States for special assessments in cities—running more especially against cities having post-office buildings, where expenses have been incurred without securing appropriations in advance of incurring the expense. This, however, is a little different from the others in this: In the last Congress we passed a bill providing for the sale of this ground in the city of Indianapolis, and that the money should be paid into the Treasury, and at the same time located a post near the city. The Secretary of War, in selling the ground, finds this special assessment standing against the property. This charge would not have any effect as against the Government of the United States; but it is such a cloud upon the title that a private individual would not desire to purchase this land unless this charge could be waived or obviated. If there is no objection on the part of the gentleman from Illinois, I will ask to have read a letter from the Assistant Secretary of War covering this point.

The CHAIRMAN. Without objection, the letter will be read.

The Clerk read as follows:

WAR DEPARTMENT,
Washington, January 8, 1903.

SIR: In carrying into execution the clause of the current act of appropriation for the support of the Army (act of June 30, 1902, 32 Stats., 507, 515), which authorizes the sale of the military reservations at Indianapolis, Ind., Columbus, Ohio, and Buffalo, N. Y., I find that there is a sewer assessment outstanding against the arsenal property at Indianapolis. The amount of the assessment is \$4,712.56; and the expense was incurred, with the approval of the Department, in order to furnish a sewer connection for the barracks and quarters for the troops constituting the garrison. There will also be some expense in connection with the appraisal of the Indianap-

olis reservation, which was provided for, in connection with its sale, in the current appropriation bill.

With a view to cancel these outstanding obligations and to give a clear title to the property, it is suggested that the cost of the sewer construction and the expenses of appraisal be authorized to be paid from the sum realized from the sale of the lands and improvements constituting the military reservation at Indianapolis, Ind.; and I remain,

Very respectfully,

WM. CARY SANGER,
Acting Secretary of War.

The CHAIRMAN OF THE COMMITTEE ON MILITARY AFFAIRS,
House of Representatives.

Mr. HULL. I yield to the gentleman from Indiana [Mr. OVERSTREET].

Mr. OVERSTREET. Mr. Chairman, as stated by the Chairman of the Committee on Military Affairs, Congress has already, by law, authorized the sale of what is called the military reservation or arsenal at Indianapolis, Ind. Under the law giving this authority the Secretary of War was directed to sell the property for not less than the appraised value, and to make the ordinary deed of transfer. Under that authority he has, through proper channels, organized a board of appraisers, which has fixed an appraised value upon the property.

A scheme of sale is now under consideration by the Department, and I have no hesitancy in saying that in all probability within the next forty-five days the sale will be consummated, as parties stand ready to make the purchase. Unless Congress by some provision similar to that now under consideration shall authorize the payment of the expenses of the board of appraisers, they will not receive any compensation. That is a small matter, and they, of course, raise no criticism as to that. The item of expense, \$4,712.56, is for the expense of a sewer constructed for the purpose of benefiting this identical property. The work was performed in the proper legal way under the laws of that State, and is necessarily a benefit to the property. It is therefore a charge against it in proportion to the amount as assessed.

The law under which this sale will be made provides specifically that the sum for which the property shall be sold shall be paid into the General Treasury. All that this amendment does is to provide that the General Treasury shall discharge that obligation. It is true there may be other similar charges, but the Government will be embarrassed in the sale of this property unless some provision shall be made to discharge this obligation.

In my judgment, the property will sell for more than the appraised; but if sold for less than the appraised, there would be no provision for the discharge of this obligation, and the purchaser would be compelled to pay it. Gentlemen will remember that while the Government is relieved from this charge, yet when the title passes from the Government to the individual purchaser this assessment becomes a charge against him. There is nothing but equity in this provision. It may be subject to the point of order, but the Government aims to deal fairly. If the property were not about to be sold, to pass into private hands—if the Government were not making provision immediately for this sale—then I would think the point of order ought properly to be made and acted upon in favor of the Government.

Mr. BARTLETT. Mr. Chairman, I would like to ask the gentleman a question.

The CHAIRMAN. Does the gentleman yield?

Mr. OVERSTREET. Yes.

Mr. BARTLETT. I understand that this is a debt, if it is a debt at all, due to the city of Indianapolis for a matter of improvement to the streets or the building of a sewer.

Mr. OVERSTREET. It is not in favor of the city. It is in favor of the contractor who put in the sewer.

Mr. BARTLETT. But the contractor did it at the instance of the city?

Mr. OVERSTREET. It is done under the law of the city and for the interests of this property and other property adjacent to it desiring and needing sewer connection.

Mr. BARTLETT. The same kind of debt would exist in case of assessment for pavement in front of property.

Mr. OVERSTREET. Except, I think, all parties agree that sewer improvements are even more important improvements than sidewalks.

Mr. BARTLETT. It is under the same sort of law.

Mr. OVERSTREET. Oh, unquestionably.

Mr. BARTLETT. Does the gentleman take the position that the United States Government or its property is liable as an adjacent landowner when improvements of that sort are made?

Mr. OVERSTREET. Oh, it is not liable under the law. Congress must authorize it.

Mr. BARTLETT. The reason which leads me to ask the question is this, that such improvements of that kind were made in my city, adjacent to property owned by the Government, and the Government, I think properly, took the position that it was not liable to pay its portion under that sort of law.

Mr. OVERSTREET. The peculiar justice in adopting this

amendment lies in the fact that the Government has obtained authority to sell this property and have the money covered into the Treasury, and if it shall be sold then this charge will rest against the owner of the property when the transfer shall be made. I realize in all probability that it is subject to the point of order. I think under the circumstances, and the recommendation of the War Department showing that it is to be paid out of money which is yet to be paid for the property, that Congress can well afford to let the amendment pass.

Mr. CRUMPACKER. I would like to ask my colleague a question. Has it not been the uniform policy of the Government to pay its equitable and pro rata share for street and sewer improvements in cities?

Mr. OVERSTREET. I so understand, but such payments are always made under direct authority of Congress.

Mr. CRUMPACKER. Of course; they have to be.

Mr. OVERSTREET. But the practice is just as the gentleman has stated.

Mr. CRUMPACKER. I understand it to be so.

Mr. MANN. Is it not possible to sell this property subject to this claim?

Mr. OVERSTREET. I do not so understand from the War Department's construction of the law under which they are going to sell.

Mr. MANN. But the statement of the gentleman is that this is not a claim against the property as it now stands, but that it will be a claim against the property when it goes into the hands of a private owner.

Mr. OVERSTREET. Not quite that.

The CHAIRMAN. The time of the gentleman from Indiana has expired.

Mr. MANN. Well, Mr. Chairman, may I ask the gentleman what the position is then in reference to that?

Mr. OVERSTREET. It is a claim against the Government for that improvement, and if the regular channel were pursued, a special bill would necessarily be introduced in the House and the matter referred to the Committee on Claims.

Mr. HAY. Mr. Chairman, I rise to make a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. HAY. Has the gentleman from Illinois withdrawn his point of order?

The CHAIRMAN. The gentleman from Illinois has reserved his point of order.

Mr. CANNON. Mr. Chairman, I want to make just one statement, if my colleague will allow me. Property of the Government is not subject to local taxation, or taxation by the State. This was not. If any assessments were levied, they were absolutely void, and are now, and are no lien whatever upon the property. For at least a quarter of a century, certainly twenty years, the practice has been that the Government has not appropriated for the payment of taxes to the municipality or the State. In my own town they went through the form of levying this same kind of a tax. Finally the city council appropriated the money to pay it, but this is a small matter of itself, and I know that the gentleman from Iowa [Mr. HULL] and the gentleman from Indiana [Mr. OVERSTREET], when I state it, will realize that I do not single this out to make the point of order upon it. The fact is, however, that there are hundreds of claims which gentlemen present to the Committee on Appropriations saying that there is substantial equity in them. The practice of Congress, however, has been the other way, and I am compelled to insist upon the point of order. If it is the sense of Congress now to have another policy, why, that is all right.

Mr. OVERSTREET. Mr. Chairman, will the gentleman yield?

Mr. CANNON. Certainly.

Mr. OVERSTREET. The gentleman does not want to be understood as saying there are hundreds of claims where the property is about to be sold?

Mr. CANNON. Oh, that does not make any difference. It is absolutely void. Any assessment is void. It is no cloud upon title, I submit to the gentleman. However, I do not know that I ought to say that, because I am not as good a lawyer as my friend. But let that be as it may, the fact that the Government sells makes no difference. It is the same thing in principle, and I do it a little for peace on the part of the Committee on Appropriations, because if this goes, all ought to go.

Mr. OVERSTREET. All similarly situated?

The CHAIRMAN. Does the gentleman from Illinois renew the point of order?

Mr. CANNON. I can not withdraw it.

The CHAIRMAN. The Chair sustains the point of order.

Mr. MERCER. Mr. Chairman, I desire to submit an amendment.

The CHAIRMAN. The gentleman from Nebraska offers an amendment, which the Clerk will report.

The Clerk read as follows:

On page 25, line 24, after the word "dollars," add the following: *Provided*, That of the above amount the sum of \$9,000, or so much thereof as may be necessary, may be used by the Secretary of War to purchase additional ground adjacent to the present Omaha quartermaster's depot reservation in Omaha, Neb., for the purpose of enlarging said reservation to admit the erection thereon of the quartermaster's warehouse building.

The amendment was agreed to.

The Clerk read as follows:

Transportation of the Army and its supplies: Transportation of the Army, including baggage of the troops when moving either by land or water, and including also the transportation of recruits and recruiting parties heretofore paid from the appropriation for "Expenses of recruiting;" of supplies to the militia furnished by the War Department; of the necessary agents and employees; of clothing, camp and garrison equipage, and other quartermaster stores, from Army depots or places of purchase or delivery to the several posts and Army depots, and from those depots to the troops in the field; of horse equipments and subsistence stores from the places of purchase, and from the places of delivery under contract to such places as the circumstances of the service may require them to be sent; of ordnance, ordnance stores, and small arms from the foundries and armories to the arsenals, fortifications, frontier posts, and Army depots; freights, wharfage, tolls, and ferriages; the purchase and hire of draft and pack animals and harness, and the purchase and repair of wagons, carts, and drays, and of ships and other vessels and boats required for the transportation of troops and supplies and for garrison purposes; for drayage and cartage at the several posts; hire of teamsters and other employees; extra-duty pay of enlisted men driving teams, repairing means of transportation, and employed as train masters, and in opening roads and building wharves; transportation of funds of the Army; the expenses of sailing public transports on the various rivers, the Gulf of Mexico, and the Atlantic and Pacific oceans; for procuring water, and introducing the same to buildings at such posts as from their situation require it to be brought from a distance, and for the disposal of sewage and drainage, and for constructing roads and wharves; for the payment of Army transportation lawfully due such land-grant railroads as have not received aid in Government bonds (to be adjusted in accordance with the decisions of the Supreme Court in cases decided under such land-grant acts), but in no case shall more than 50 per cent of full amount of service be paid: *Provided*, That such compensation shall be computed upon the basis of the tariff or lower special rates for like transportation performed for the public at large, and shall be accepted as in full for all demands for such service: *Provided further*, That in expending the money appropriated by this act a railroad company which has not received aid in bonds of the United States, and which obtained a grant of public land to aid in the construction of its railroad on condition that such railroad should be a post route and military road, subject to the use of the United States for postal, military, naval, and other Government services, and also subject to such regulations as Congress may impose restricting the charge for such Government transportation, having claims against the United States for transportation of troops and munitions of war and military supplies and property over such aided railroads, shall be paid out of the moneys appropriated by the foregoing provision only on the basis of such rate for the transportation of such troops and munitions of war and military supplies and property as the Secretary of War shall deem just and reasonable under the foregoing provision, such rate not to exceed 50 per cent of the compensation for such Government transportation as shall at that time be charged to and paid by private parties to any such company for like and similar transportation; and the amount so fixed to be paid shall be accepted as in full for all demands for such service: *Provided further*, That the number of draft animals purchased from this appropriation, added to those now on hand, shall be limited to such numbers as are actually required for the service, \$15,000,000.

Mr. HAY. I offer the amendment which I send to the Clerk's desk.

Mr. FITZGERALD. I desire to reserve a point of order on all contained between line 14, page 27, and line 20, page 28.

The CHAIRMAN. The gentleman from New York reserves the point of order against the paragraph mentioned. Does the gentleman from Iowa wish to discuss it?

Mr. HULL. Oh, not at all. There is nothing in it.

Mr. HAY. What is the point of order?

Mr. FITZGERALD. The point of order is that it is new legislation.

Mr. HULL. Mr. Chairman, it has been enacted every year for a great many years; I do not know how many years back. If the gentleman will compare it, he will find that it is line for line with a provision that has been carried in the appropriation bill for a very long time.

Mr. FITZGERALD. I reserved the point of order for the purpose of getting an explanation of it.

Mr. HULL. The gentleman will find that there has not been a change of a word in this provision in years. I ask for a decision on the point of order.

The CHAIRMAN. Does the gentleman from New York renew the point of order?

Mr. FITZGERALD. I reserved it only for the purpose of being informed about the provision.

Mr. HULL. It is so clearly in order that I did not propose to discuss it.

The CHAIRMAN. The gentleman from New York withdraws the point of order.

Mr. HAY. I offer an amendment.

The CHAIRMAN. The gentleman from Virginia offers an amendment, which the Clerk will report.

The Clerk read as follows:

At the end of line 23, page 28, add the following proviso: "Provided, That no action looking to the discontinuance of the transport service shall be taken without further action of Congress."

The amendment was agreed to.

Mr. SHAFROTH. Mr. Chairman, I desire to offer an amendment.

The CHAIRMAN. The gentleman from Colorado offers an amendment, which the Clerk will report."

The Clerk read as follows:

After the word "oceans," in line 11, page 27, insert the following:
"No steamship in the transport service of the United States shall be sold or disposed of without the consent of Congress having been first had and obtained."

Mr. HULL. Mr. Chairman, I am inclined to think that is subject to a point of order.

Mr. SHAFROTH. I have no doubt that it is; but in view of the speech that the gentleman made on yesterday, which was a most elaborate demonstration of the usefulness of these transports, and in view of the fact that the sales that have been made heretofore have been made for very small sums of money, it seems to me that there ought to be unanimity on the part of the members of the House in sustaining that service.

Mr. HULL. Let me ask the gentleman if he does not think the amendment already passed is sufficient?

Mr. SHAFROTH. No; it is not. That applies to the discontinuance of the transport service.

Mr. HULL. I shall make no point upon it.

Mr. SHAFROTH. I want to call the gentleman's attention to this point.

Mr. HULL. Go ahead. I have not made any point at all.

The CHAIRMAN. The question, then, is on the amendment offered by the gentleman from Colorado.

The question was taken; and the amendment was agreed to.

The Clerk read as follows:

Clothing, and camp and garrison equipage: For cloth, woollens, materials, and for the manufacture of clothing for the Army, for issue and for sale at cost price, according to the Army Regulations; for altering and fitting clothing and washing and cleaning, when necessary; for equipage, and for expenses of packing and handling, and similar necessities; for a suit of citizen's outer clothing, to cost not exceeding \$10, to be issued upon release from confinement to each prisoner who has been confined under a court-martial sentence involving dishonorable discharge; for indemnity to officers and men of the Army for clothing and bedding, etc., destroyed since April 22, 1898, by order of medical officers of the Army for sanitary reasons, \$4,000,000.

Mr. HAY. Mr. Chairman, I move to strike out the paragraph.

Mr. HULL. What paragraph was it?

Mr. HAY. I just want to do it so we may adjourn.

Mr. HULL. I hope the gentleman will not raise the question of no quorum at this time. It has been the general understanding that we would go on for a few minutes longer before the House adjourns.

Mr. HAY. At what hour?

Mr. HULL. It will not be more than ten minutes, and we will be that much further along with the bill. Now, I hope the gentleman will not insist on his point. We can not adjourn in Committee of the Whole.

Mr. HAY. We can find out whether we can adjourn.

Mr. HULL. If we read a couple of more pages there will be no further trouble.

Mr. HAY. There is no trouble now.

The Clerk read as follows:

Construction and repair of hospitals: For construction and repair of hospitals at military posts already established and occupied, including the extra-duty pay of enlisted men employed on the same, and including also all expenditures for construction and repairs required at the Army and Navy Hospital at Hot Springs, Ark., except quarters for the officers and for the construction and repair of general hospitals and expenses incident thereto, and for additions needed to meet the requirements of increased garrisons, \$475,000: *Provided*, That \$60,000 of this amount may be used for the construction at Vancouver Barracks, Wash., of a modern hospital for 48 beds, necessary to accommodate the sick of the contemplated increase of the garrison at that post to one regiment of infantry and two light batteries of artillery.

Mr. CANNON. Mr. Chairman, I would be glad to ask the gentleman not to dispose of this paragraph.

Mr. HULL. I am willing to pass that over until to-morrow.

Mr. HAY. I object.

The CHAIRMAN. The gentleman from Virginia objects.

Mr. HULL. Well, Mr. Chairman, it seems that the disposition of the House is so overwhelmingly in favor of quitting that I will move that the committee do now rise, although the agreement was that we should run until half past 5.

The CHAIRMAN. The gentleman from Iowa moves that the committee do now rise.

The question was taken; and the motion was agreed to.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. BOUTELL, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 16567 and had come to no resolution thereon.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PARKINSON, its reading clerk, announced that the Senate had passed without amendment bill of the following title:

H. R. 6326. An act for the relief of Hiram C. Walker.

The message also announced that the Senate had insisted upon

its amendment to the amendment of the House of Representatives to the bill (S. 2296) to amend an act approved March 2, 1895, relating to public printing, disagreed to by the House of Representatives, had agreed to the conference asked by the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. PLATT of New York, Mr. ELKINS, and Mr. JONES of Arkansas as the conferees on the part of the Senate.

ENROLLED BILLS SIGNED.

Mr. WACHTER, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles; when the Speaker signed the same:

H. R. 13594. An act granting an increase of pension to Robert Hargreaves;

H. R. 5321. An act granting a pension to Lillie May Fifield;

H. R. 9977. An act granting a pension to Minerva Robinson;

H. R. 12575. An act granting a pension to Edward A. Branham;

H. R. 13479. An act granting a pension to Ira P. Smith;

H. R. 13565. An act granting a pension to Mary V. Scriven;

H. R. 3868. An act granting an increase of pension to Isadora F. Maxfield;

H. R. 3672. An act granting a pension to Emily S. Barrett;

H. R. 2542. An act granting an increase of pension to Lysander D. Trent;

H. R. 1453. An act granting an increase of pension to Thomas Kirwan;

H. R. 7021. An act granting an increase of pension to Henry Forcht;

H. R. 325. An act granting an increase of pension to John Compton;

H. R. 699. An act granting an increase of pension to Robert Miller;

H. R. 636. An act granting an increase of pension to Benjamin S. Bogardus;

H. R. 11748. An act granting an increase of pension to Samuel Ashmore;

H. R. 10494. An act granting an increase of pension to Jonathan H. Slocum;

H. R. 1530. An act granting an increase of pension to Eliza A. Rickards;

H. R. 3755. An act granting an increase of pension to Lawson Williams;

H. R. 14024. An act granting an increase of pension to John R. Curry;

H. R. 13505. An act granting an increase of pension to William F. Stanley;

H. R. 14058. An act granting an increase of pension to Emil Pfeiffer;

H. R. 13510. An act granting an increase of pension to James P. Thomas;

H. R. 13529. An act granting an increase of pension to Francis C. Baker;

H. R. 13621. An act granting an increase of pension to Anson Greenman;

H. R. 13143. An act granting an increase of pension to Susan Parker;

H. R. 12155. An act granting an increase of pension to Joseph W. Robertson;

H. R. 12700. An act granting an increase of pension to Eberhard P. Lieberg;

H. R. 3304. An act granting an increase of pension to William Burke;

H. R. 5887. An act granting an increase of pension to Morris M. Comstock;

H. R. 6897. An act granting an increase of pension to William G. Buchanan;

H. R. 1528. An act granting an increase of pension to Charles Dalrymple;

H. R. 8237. An act granting an increase of pension to John Robinson;

H. R. 12039. An act granting an increase of pension to Nelson Brown;

H. R. 14136. An act granting an increase of pension to John D. Thompson;

H. R. 12132. An act granting an increase of pension to Allen C. Davis;

H. R. 14312. An act granting an increase of pension to John W. Huckelberry;

H. R. 13815. An act granting an increase of pension to James J. Wilson;

H. R. 11180. An act granting an increase of pension to Henry W. Gaskill;

H. R. 14067. An act granting an increase of pension to John Wright; and

H. R. 16649. An act to provide rebate of duties on coal, and for other purposes.

SENATE BILLS REFERRED.

Under clause 2 of Rule XXIV, Senate bills of the following titles were taken from the Speaker's table and referred to their appropriate committees as indicated below:

S. 6257. An act granting an increase of pension to Mary B. Keller—to the Committee on Pensions.

S. 6182. An act granting an increase of pension to Lila L. Egbert—to the Committee on Pensions.

S. 1131. An act granting an increase of pension to Sydda B. Arnold—to the Committee on Invalid Pensions.

S. 6467. An act granting an increase of pension to Sarah E. Ropes—to the Committee on Pensions.

S. 5850. An act granting an increase of pension to Herbert Whitworth—to the Committee on Invalid Pensions.

S. 6219. An act granting an increase of pension to Nannie Cushman—to the Committee on Invalid Pensions.

S. 5963. An act granting a pension to Sarah Jane Gibson Ogden—to the Committee on Pensions.

Mr. HULL. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to.

And accordingly (at 5 o'clock and 28 minutes p. m.) the House adjourned.

EXECUTIVE COMMUNICATIONS.

Under clause 2 of Rule XXIV, the following executive communications were taken from the Speaker's table and referred as follows:

A letter from the Secretary of the Treasury, transmitting a copy of a communication from the chief of Division of the Revenue-Cutter Service submitting an estimate of additional appropriation for new revenue steamer at Philadelphia—to the Committee on Appropriations, and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting a copy of a communication from the Secretary of War submitting an estimate of appropriation for buildings at Fort Brady—to the Committee on Appropriations, and ordered to be printed.

A letter from the Secretary of the Treasury, relating to improvement of the post-office buildings at Atlanta, Ga.—to the Committee on Public Buildings and Grounds, and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the several Calendars therein named, as follows:

Mr. STEELE, from the Committee on Ways and Means, to which was referred the bill of the House (H. R. 3095) for the relief of gaugers, storekeeper gaugers, and storekeepers, reported the same with amendment, accompanied by a report (No. 3152); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. RUCKER, from the minority of the Committee on Election of President, Vice-President, and Representatives in Congress, to which was referred the bill of the House (H. R. 16063) to punish frauds at elections of Representatives and Delegates in Congress and of electors for President and Vice-President, and for other purposes, submitted the views of the minority (being part 2 of Report No. 2969); which said views were referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. FOSTER of Vermont, from the Committee on Claims, to which was referred the bill of the Senate (S. 3546) for the relief of L. A. Noyes, reported the same without amendment, accompanied by a report (No. 3150); which said bill and report were referred to the Private Calendar.

Mr. SNODGRASS, from the Committee on Military Affairs, to which was referred the bill of the House (H. R. 11544) to correct the military record of Thomas J. Morman, reported the same without amendment, accompanied by a report (No. 3151); which said bill and report were referred to the Private Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS INTRODUCED.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred, as follows:

By Mr. BURGESS: A bill (H. R. 16720) for establishing a light-vessel near Healds Bank, off Galveston Harbor, Texas—to the Committee on Interstate and Foreign Commerce.

By Mr. JENKINS: A bill (H. R. 16721) to authorize the abandonment of W street northeast, Washington, D. C.—to the Committee on the District of Columbia.

By Mr. SULZER: A bill (H. R. 16722) to provide for the erection of a bronze statue to the memory of the late Samuel J. Tilden, at Washington, D. C.—to the Committee on the Library.

By Mr. JENKINS: A bill (H. R. 16723) to prohibit the wearing or use of official badges or decorations of the Union Veteran Legion and other military and civil societies duly organized in the District of Columbia and in the Territories of the United States, and making the unlawful wearing or use of such a misdemeanor, providing punishment therefor—to the Committee on Military Affairs.

By Mr. LESSLER: A bill (H. R. 16724) to provide for an additional judge of the district court of the United States for the southern district of New York—to the Committee on the Judiciary.

By Mr. KAHN: A bill (H. R. 16725) to increase the limit of cost for the erection of a custom-house building at San Francisco, Cal.—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 16726) to define the meaning of an act approved May 9, 1876 (19 Stat. L., p. 52), relinquishing the interests of the United States in certain lands to the city and county of San Francisco, State of California—to the Committee on Military Affairs.

By Mr. CONRY: A bill (H. R. 16727) for the erection of a light-house in Boston Harbor—to the Committee on Interstate and Foreign Commerce.

By Mr. SWANSON: A bill (H. R. 16728) to increase the limit of the appropriation for a public building at Martinsville, Va.—to the Committee on Public Buildings and Grounds.

By Mr. DAYTON: A joint resolution (H. J. Res. 250) authorizing railroads and transportation companies engaged in interstate commerce to transport coal from the mines to the market for a period of sixty days in preference to all other freight—to the Committee on Interstate and Foreign Commerce.

By Mr. STEVENS of Minnesota: A concurrent resolution (H. C. Res. 70) to authorize the printing of 600 additional copies of the Report of the Commissioner of Navigation for 1902—to the Committee on Printing.

By Mr. JENKINS: A resolution (H. Res. 389) that the Committee on the Judiciary be directed to investigate and report to the House the opinion of the committee as to the power of Congress to declare that a necessity has arisen for taking possession of all coal, coal beds, and coal mines in the United States—to the Committee on Rules.

By Mr. POWERS of Maine: A resolution (H. Res. 390) that immediately upon the adoption of this resolution it shall be in order to consider the bill S. 6216—to the Committee on Rules.

By Mr. FOSTER of Vermont: Memorial of the legislature of the State of Vermont, asking for recognition of the service of Gen. William F. Smith—to the Committee on Military Affairs.

PRIVATE BILLS AND RESOLUTIONS INTRODUCED.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. BALL of Delaware: A bill (H. R. 16729) to correct the military record of Thomas W. Ferree—to the Committee on Military Affairs.

By Mr. BELL (by request): A bill (H. R. 16730) for the relief of certain settlers on lands in Pueblo County, Colo.—to the Committee on the Public Lands.

Also, a bill (H. R. 16731) permitting the town of Montrose, Colo., to enter 160 acres of land for reservoir and water purposes—to the Committee on the Public Lands.

By Mr. BROMWELL: A bill (H. R. 16732) granting an increase of pension to Caroline Heinzmann—to the Committee on Invalid Pensions.

By Mr. DOUGLAS: A bill (H. R. 16733) granting an increase of pension to Edward M. Tappen—to the Committee on Invalid Pensions.

By Mr. FORDNEY: A bill (H. R. 16734) to provide an American register for the steamer Beaumont—to the Committee on Interstate and Foreign Commerce.

By Mr. FOWLER: A bill (H. R. 16735) granting an increase of pension to Joseph J. Sparling—to the Committee on Invalid Pensions.

By Mr. GRIFFITH: A bill (H. R. 16736) granting an increase of pension to Albert B. Harryman—to the Committee on Pensions.

Also, a bill (H. R. 16737) granting an increase of pension to Ira Stout—to the Committee on Invalid Pensions.

Also, a bill (H. R. 16738) granting a pension to Henry Pritchard—to the Committee on Invalid Pensions.

Also, a bill (H. R. 16739) to correct the military record of Lewis Gannon—to the Committee on Military Affairs.

Also, a bill (H. R. 16740) granting an increase of pension to Isom Wilkerson—to the Committee on Invalid Pensions.

By Mr. HAMILTON: A bill (H. R. 16741) granting a pension to William Behrmann—to the Committee on Invalid Pensions.

By Mr. HASKINS: A bill (H. R. 16742) granting an increase of pension to William Woodcock—to the Committee on Invalid Pensions.

By Mr. HOOKER: A bill (H. R. 16743) for the relief of the estate of Claham Blackman, deceased, late of Claiborne County, Miss.—to the Committee on War Claims.

By Mr. KAHN: A bill (H. R. 16744) to correct the record of Charles Ellis, late of the United States Navy—to the Committee on Naval Affairs.

By Mr. KYLE: A bill (H. R. 16745) granting a pension to Harriet E. Green—to the Committee on Invalid Pensions.

By Mr. NEVILLE: A bill (H. R. 16746) to place John Tempamy, veterinarian, Ninth United States Cavalry, on the retired list of the United States Army—to the Committee on Military Affairs.

By Mr. PADGETT: A bill (H. R. 16747) for the relief of the heirs of Michael Holoran—to the Committee on War Claims.

By Mr. PIERCE: A bill (H. R. 16748) for the relief of William B. Booker—to the Committee on War Claims.

By Mr. SHERMAN: A bill (H. R. 16749) granting an increase of pension to Henry P. Mesick—to the Committee on Invalid Pensions.

By Mr. SMITH of Kentucky: A bill (H. R. 16750) granting a pension to Laura Ann Willis—to the Committee on Invalid Pensions.

By Mr. SAMUEL W. SMITH: A bill (H. R. 16751) granting a pension to C. E. Snyder—to the Committee on Invalid Pensions.

By Mr. VANDIVER: A bill (H. R. 16752) granting a pension to Anton Sauthoff—to the Committee on Invalid Pensions.

By Mr. WILSON: A bill (H. R. 16753) removing the charge of desertion from the military record of Thomas T. Inslee—to the Committee on Military Affairs.

By Mr. MARTIN: A bill (H. R. 16754) granting an increase of pension to Benjamin F. Hughes—to the Committee on Invalid Pensions.

By Mr. SPARKMAN: A bill (H. R. 16755) granting an increase of pension to Fannie T. Fisher—to the Committee on Pensions.

By Mr. MIERS of Indiana: A bill (H. R. 16756) granting an increase of pension to John Brown—to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ALEXANDER: Petitions of Eli T. Hosmer and other retail druggists of Buffalo, N. Y., urging the passage of House bill 178, for the reduction of the tax on alcohol—to the Committee on Ways and Means.

By Mr. BELL: Resolution of the Chamber of Commerce of Leadville, Colo., asking for the restoration of duty on manganese iron—to the Committee on Ways and Means.

Also, resolution of the Bent County Farmers and Live Stock Growers' Association, Las Animas, Colo., in favor of the proposition to lease the public domain—to the Committee on the Public Lands.

By Mr. BENTON: Petition of Charles L. Wright and other druggists of Webb City, Mo., for the enactment of House bill 178, for reduction of the tax on alcohol—to the Committee on Ways and Means.

By Mr. BROWN: Petition of druggists of Hurley, Wis., for reduction of tax on distilled spirits—to the Committee on Ways and Means.

By Mr. CASSINGHAM: Petition of the Wooster Brush Works, of Wooster, Ohio, favoring House bill 15368, amending the customs-drawback law—to the Committee on Ways and Means.

Also, petitions of druggists of Canal Dover, New Philadelphia, Smithville, and Wooster, Ohio, and vicinity, in favor of House bill 178, for reduction of tax on distilled spirits—to the Committee on Ways and Means.

By Mr. CRUMPACKER: Petition of E. C. Zahrt, urging the

passage of House bill 178, for the reduction of the tax on alcohol—to the Committee on Ways and Means.

By Mr. EDDY: Resolution of the St. Paul Chamber of Commerce, for the repeal of all import duties on anthracite and bituminous coal—to the Committee on Ways and Means.

By Mr. FLETCHER: Resolution of the St. Paul, Minn., Chamber of Commerce, for the repeal of the duties on coal—to the Committee on Ways and Means.

By Mr. FOWLER: Petitions of the Woman's Christian Temperance unions and citizens of Chatham, Succasuna, and Elizabeth, N. J., to prohibit liquor selling in Government buildings, etc.—to the Committee on Alcoholic Liquor Traffic.

Also, petition of citizens of Morris County, N. J., asking for the removal of the tariff on certain glass products—to the Committee on Ways and Means.

Also, petitions of retail druggists of Morristown, Washington, Rahway, Westfield, and Dover, N. J., in favor of House bill 178, for the reduction of the tax on alcohol—to the Committee on Ways and Means.

Also, petitions of the Women's Missionary Society of the Presbyterian Church of Hackettstown; the Westminster Presbyterian Church, of Phillipsburg; Presbyterian Society of Danville; Presbyterian Church of Stanhope; Presbyterian Church Society of Greenwich; Women's Missionary Society of Delaware, and Presbyterian Society of Andover, N. J., in favor of an amendment to the Constitution defining legal marriage to be monogamic, etc.—to the Committee on the Judiciary.

By Mr. GRIFFITH: Papers to accompany House bill for increase of pension of Isom Wilkerson—to the Committee on Invalid Pensions.

Also, papers to accompany House bill granting an increase of pension to Albert D. Harryman—to the Committee on Pensions.

Also, papers to accompany House bill to correct the military record of William Burke—to the Committee on Military Affairs.

Also, paper to accompany House bill granting a pension to Henry Pritchard—to the Committee on Invalid Pensions.

Also, paper to accompany House bill 16154, granting an increase of pension to David Ennis—to the Committee on Invalid Pensions.

By Mr. GROSVENOR: Resolutions of Farmers' Institute, Amesville, Ohio, favoring the improvement of public roads and certain other pending bills—to the Committee on Agriculture.

Also, petition of the Woman's Christian Temperance Union of Athens, Ohio, for the passage of a bill to forbid the sale of intoxicating liquors in all Government buildings—to the Committee on Alcoholic Liquor Traffic.

By Mr. HEATWOLE: Resolution of the St. Paul (Minn.) Chamber of Commerce, for the repeal of the duties on anthracite and bituminous coal—to the Committee on Ways and Means.

By Mr. McCLEARY: Resolution of the St. Paul Chamber of Commerce, for the repeal of import duties on coal—to the Committee on Ways and Means.

By Mr. MOON: Petition of retail druggists of Sparta, Tenn., urging the passage of House bill 178, for the reduction of the tax on alcohol—to the Committee on Ways and Means.

By Mr. MORRIS: Resolution of the St. Paul (Minn.) Chamber of Commerce, for the repeal of all import duties on anthracite and bituminous coal—to the Committee on Ways and Means.

By Mr. NAPHEN: Petition of the Fore River Ship and Engine Company, favoring House bill 15368—to the Committee on Ways and Means.

By Mr. NEVILLE: Petition of Gorton Brothers, of Cody, Nebr., urging the passage of House bill 178, for the reduction of the tax on alcohol—to the Committee on Ways and Means.

By Mr. PADGETT: Affidavit relating to the claim of P. H. Haloran and Mary Kenedy, heirs of Michael Haloran—to the Committee on War Claims.

By Mr. ROBERTSON of Louisiana: Petition of H. B. Benjamin, of Baton Rouge Parish, La., for reference of war claim to the Court of Claims—to the Committee on War Claims.

By Mr. RUPPERT: Resolution of Schiller Lodge, No. 51, I. O. P. B., of New York, for a modification of the methods and practice pursued by the immigration officers at the port of New York—to the Committee on Immigration and Naturalization.

Also, petition of the Merchants' Association of New York, favoring the passage of the Elkins bill to increase the jurisdiction and powers of the Interstate Commerce Commission—to the Committee on Interstate and Foreign Commerce.

Also, petition of A. B. Calisher & Co., New York, urging the passage of House bill 178, for the reduction of the tax on alcohol—to the Committee on Ways and Means.

Also, resolutions of the Manufacturers' Association of New York, favoring an educational qualification for immigrants as embodied in House bill 12199—to the Committee on Immigration and Naturalization.

Also, resolutions of the American Free Trade League, asking

that beef and coal be placed on the free list—to the Committee on Ways and Means.

Also, resolutions of the National German-American Alliance, favoring the appointment of an immigration commission—to the Committee on Immigration and Naturalization.

By Mr. RYAN: Petitions of the New York Produce Exchange and the National Live Stock Association, favoring certain amendments to the interstate-commerce law—to the Committee on Interstate and Foreign Commerce.

Also, petition of the legislative board of Locomotive Firemen of New York, for the passage of the eight-hour law, the conspiracy and anti-injunction bill, and Senate bill 3560—to the Committee on the Judiciary.

Also, resolutions of Local Union No. 369, Brotherhood of Carpenters and Joiners, of North Tonawanda, N. Y., favoring the repeal of the stone, timber, desert land, and homestead commutation acts—to the Committee on the Public Lands.

By Mr. SHALLENBERGER: Petition of C. F. Linehart and others, of Norman, Nebr., for reduction of tax on distilled spirits—to the Committee on Ways and Means.

Also, papers to accompany House bill 4175, granting an increase of pension to Alpheus D. Brown—to the Committee on Invalid Pensions.

By Mr. SHERMAN: Paper to accompany House bill granting an increase of pension to Henry P. Mesick—to the Committee on Invalid Pensions.

By Mr. SPARKMAN: Resolutions of the Ocala (Fla.) Board of Trade, asking for appropriate legislation for the Territory of Alaska—to the Committee on the Territories.

Also, resolutions of Kit Carson Post, No. 26, Grand Army of the Republic, St. Petersburg, Fla., for the establishment of a branch home for disabled soldiers, sailors, and marines in the State of Florida—to the Committee on Military Affairs.

By Mr. SULZER: Resolutions of the New York Board of Trade and Transportation, in relation to the selection of a new post-office site in the city of New York—to the Committee on the Post-Office and Post-Roads.

By Mr. TAWNEY: Resolution of the St. Paul Chamber of Commerce, for the repeal of all import duties on anthracite and bituminous coal—to the Committee on Ways and Means.

By Mr. THAYER: Petition of citizens of Worcester, Mass., asking for the removal of the tariff on certain glass products—to the Committee on Ways and Means.

Also, petitions of retail druggists of Southbridge, Mass., in favor of House bill 178, for reduction of tax on distilled spirits—to the Committee on Ways and Means.

Also, petition of B'nai Joseph Lodge, No. 275, Order of B'rith Abraham, of Worcester, Mass., relative to immigration—to the Committee on Immigration and Naturalization.

By Mr. VANDIVER: Papers to accompany House bill granting a pension to Anton Southoff—to the Committee on Invalid Pensions.

By Mr. WEEKS: Petition of J. F. Holden, Joseph Schaubert, and others, of Mount Clemens and vicinity, Michigan, favoring House bill 178—to the Committee on Ways and Means.

By Mr. WILLIAMS of Illinois: Petition of E. Musgrave & Co., Raleigh, Ill., urging the passage of House bill 178, for the reduction of the tax on alcohol—to the Committee on Ways and Means.

SENATE.

THURSDAY, January 15, 1903.

Prayer by Rev. F. J. PRETTYMAN, of the city of Washington.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. BERRY, and by unanimous consent, the further reading was dispensed with.

The PRESIDENT pro tempore. Without objection, the Journal will stand approved.

A. A. WADE.

The PRESIDENT pro tempore laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting a certified copy of the findings filed by the court in the cause of A. A. Wade, administrator of S. L. Carpenter, deceased, v. The United States; which, with the accompanying paper, was referred to the Committee on Claims, and ordered to be printed.

ENROLLED BILLS SIGNED.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the Speaker of the House had signed the following enrolled bills; and they were thereupon signed by the President pro tempore:

A bill (H. R. 325) granting an increase of pension to John Compton;

A bill (H. R. 624) granting a pension to Dorcas McArdle;
A bill (H. R. 636) granting an increase of pension to Benjamin S. Bogardus;
A bill (H. R. 699) granting an increase of pension to Robert Miller;
A bill (H. R. 1328) granting an increase of pension to Gotthard Koerner;
A bill (H. R. 1453) granting an increase of pension to Thomas Kirwan;
A bill (H. R. 1528) granting an increase of pension to Charles Dalrymple;
A bill (H. R. 1530) granting an increase of pension to Eliza A. Rickards;
A bill (H. R. 1733) for the relief of John A. Mason;
A bill (H. R. 2223) granting an increase of pension to John Laughlin;
A bill (H. R. 2224) granting an increase of pension to David T. Nuttle;
A bill (H. R. 2542) granting an increase of pension to Lysander D. Trent;
A bill (H. R. 2849) granting an increase of pension to Charles S. Ely;
A bill (H. R. 3269) granting a pension to Ida M. Kinney;
A bill (H. R. 3304) granting an increase of pension to William Burke;
A bill (H. R. 3514) granting an increase of pension to Theresia Ziegenfuss;
A bill (H. R. 3672) granting a pension to Emily S. Barrett;
A bill (H. R. 3755) granting an increase of pension to Lawson Williams;
A bill (H. R. 3868) granting an increase of pension to Isadora F. Maxfield;
A bill (H. R. 4184) granting an increase of pension to John Glenn;
A bill (H. R. 4454) granting an increase of pension to James H. Watts;
A bill (H. R. 4509) granting an increase of pension to Eliza Knight;
A bill (H. R. 4983) granting an increase of pension to Lucy G. Smith;
A bill (H. R. 5159) granting a pension to William A. Miller;
A bill (H. R. 5205) granting an increase of pension to Hiram S. Leffingwell;
A bill (H. R. 5331) granting a pension to Lillie May Fifield;
A bill (H. R. 5369) granting an increase of pension to Benjamin White;
A bill (H. R. 5387) granting an increase of pension to Morris M. Comstock;
A bill (H. R. 6006) granting an increase of pension to John Canty;
A bill (H. R. 6727) granting an increase of pension to Remembrance J. Williams;
A bill (H. R. 6897) granting an increase of pension to William G. Buchanan;
A bill (H. R. 7021) granting an increase of pension to Henry Forcht;
A bill (H. R. 7239) granting an increase of pension to William Christian;
A bill (H. R. 8237) granting an increase of pension to John Robinson;
A bill (H. R. 8309) granting an increase of pension to Sylvester Holiday;
A bill (H. R. 8542) granting an increase of pension to Parmenas F. Harris;
A bill (H. R. 8576) granting a pension to John S. Upshaw;
A bill (H. R. 8707) granting an increase of pension to James R. Ambrose;
A bill (H. R. 9016) granting an increase of pension to Jane Brosnan;
A bill (H. R. 9402) granting an increase of pension to Alexander Curd;
A bill (H. R. 9977) granting a pension to Minerva Robinson;
A bill (H. R. 10010) granting a pension to Mina Weirauch;
A bill (H. R. 10339) granting an increase of pension to John L. Moore;
A bill (H. R. 10494) granting an increase of pension to Jonathan H. Slocum;
A bill (H. R. 11180) granting an increase of pension to Henry W. Gaskill;
A bill (H. R. 11212) granting an increase of pension to James D. Sims;
A bill (H. R. 11286) granting a pension to Ellen F. Pook;
A bill (H. R. 11311) granting an increase of pension to Andrew J. Hertzog;
A bill (H. R. 11748) granting an increase of pension to Samuel Ashmore;